

EPPING TOWN COUNCIL

Market Policy

Introduction

Epping Town Council's Monday Market is a very important part of the historic town. The Monday market has evolved from that granted a Royal Charter by King Henry III in 1253, to a cattle market until 1961, and then into a traditional linear market in the present day. Changes in consumer behaviour have put considerable pressure on traditional markets and many markets have not survived or operate at a loss. The patterns of succession (for market stalls being continued through families) have changed, making the future of traditional markets even more uncertain. Many markets were closed during the coronavirus Covid 19 health situation, causing further uncertainty.

Traditional markets and other market styles

Traditional markets refer to those markets selling goods such as clothes, hardware, pet food, slippers, household goods, fruit and vegetables, bread, which cover a wide spectrum. Farmers markets refer to those markets selling farm-style goods such as vegetables, meat, fish, bread, cheese. Continental markets refer to those markets selling continental produce such as French cheeses, Italian pasta or German sausages, for example.

Epping Town Council recognises the enormous contribution that Epping's Monday Market makes to the local economy and its role in maintaining the character of this historic market town. The market remains an important Council service, augmenting the vitality of the High Street and acting as a vital community resource. The increased footfall in Epping High Street on a Monday, as a result of the Monday Market, is notable.

Epping Town Council, as the holder of a Royal Charter, have considerable market rights and protection in law. The market is analysed on a regular basis by the Town Council to support its vitality and the resultant effect it has on Epping as a whole. This market policy is designed to protect this vital community facility against any potential harm.

The policy will be reviewed regularly to ensure it remains fit for purpose.

Markets

The Market operated by Epping Town Council under Royal Charter is Epping Monday market.

In addition to the Royal Charter market, Epping Town Council hold an annual Christmas Market and periodic continental markets. **Please note:** the continental style markets have not operated in recent years and Epping Town Council have not pursued them, in order to protect the Monday market and its reduced footfall.

Market Rights

Charter Markets are afforded the highest protection in market law. A local authority holding a market by Royal Charter can demand that no markets are held in a six and two third mile radius (as the crow flies) on the same day as their market. The Charter also enables them to adopt any further policies that protect the Charter Market. Action may be taken against anyone who contravenes such policy regulations, giving the local authority with the Charter and automatic right to relief. While the law has changed in the last 20 years and we have left the European Union, the European Economic Community (EEC) directives regarding this still apply.

Epping Town Council, by virtue of the powers under its Charter, enjoys market rights throughout its area and is in a position to consider applications for market events. This right has been exercisable for many years and the Council has taken into account relevant UK and European legislation in drawing up this markets policy.

The market policy is governed by the powers contained in:

- 1) Royal Charter
- 2) Food Act 1984 Part III (s50 & 52)

Definition of a market event

Epping Town Council's markets policy specifies a market as follows:

1. The legal definition of a market is a 'concourse of buyers and sellers' (this means that the public are entitled to attend market events to buy and sell).
2. A market will comprise not less than five stalls, stands, vehicles, whether moveable or not or pitches from which articles are sold.
3. There will be an operator of the market who will be responsible for the organisation and delivery of the event.
4. The term 'market event' includes all styles of market, such as farmers, traditional, etc.
5. A market may sometimes be held as an integral part of a special event and where this arises the market element will fall within Epping Town Council's markets policy.
6. Applies to indoor and outdoor markets (on any land in Epping Parish).

The licensing of markets and Epping Town Council

Epping Town Council's market policy is designed to protect Epping Town Council's Royal Charter market.

If an operator wishes to hold a market **of any type** in the Parish of Epping (map as per **Appendix 1**), they must make an application to Epping Town Council. This includes markets **of any type** (farmers, traditional, continental) in **Epping Parish (Epping, Coopersale and Fiddlers Hamlet) on any day of the week**, not just on Mondays.

Request for consultation

Epping Town Council would request that Epping Forest District Council seek approval from Epping Town Council on any District Council Market Policy before it is adopted. As a local authority with market rights, the rights afforded the Town Council under the Charter, supercede any other consultation requirements, including those of a statutory nature.

Market requests: advance notice

Failure to give a notice of a market is a criminal offence and liable to a summary conviction in the Magistrates' Court. (Section 37 of the Local Government (Miscellaneous Provisions) Act 1982).

Enforcement

Epping Town Council will take action against any market which is in breach of the Market Charter or this Policy. Any market that causes a potential threat to the Charter Market or those markets under the control of Epping Town Council will be subject to legal action, where appropriate remedial action will be sought.

Community Groups Market events

Any community groups who wish to hold a market style event that falls under the definition of a market event (above), should send in a simple written request to Epping Town Council (by email or post). This will require details of the market (organiser, date, time, location, confirmation of the landowner's permission. The Town Council will assess and confirm.

In conclusion

- (i) Epping's Monday market is protected by Royal Charter. Under the market rights afforded to Epping Town Council as a result of this Charter, no market shall be held within six and two third miles of Epping's Monday Charter market, on a Market day (Monday) in accordance with Market Rights afforded those with a Charter.
- (ii) If anyone wishes to hold a market in Epping Parish, on any day of the week, they must make an application to Epping Town Council, who will review the request against Epping Town Council's Market Policy.

The overarching aim of this policy is to protect the longer term future of Epping's historic Charter market, exercising the powers afforded to this local authority under their Charter Market rights.

Epping Town Council November 2021

Approved by Council: 1st December 2021