Bristol Royal Markets Charter- Licence Terms & Conditions

1 Foreword

Bristol City Council has approved a policy outlining conditions under which licences may be issued to operators allowing markets or car boot sales to be held. Any person who wishes to operate a market or car boot sale may only do so if it has been licensed by the City Council. A licence will only be issued provided the application complies with the following terms and conditions.

Bristol City Council has statutory Market Rights which prevent any person from operating a market/ car boot sale within 6 & 2/3 miles of any Council run market without the Council's expressed permission. A Market is defined in common law as a concourse of buyers and sellers and for the purposes of this document includes car boot sales.

Bristol City Council has adopted Section 37 of the Local Government (Miscellaneous Provisions) Act 1982, which requires market/car boot sale operators to give at least one month's notice of their intent to hold a market. Failure to provide the requisite notice renders both the operator and occupier of the land liable to prosecution in accordance with this legislation. The Council requires that this notification is provided in the form of a market license application.

The responsibility to comply with these terms and conditions lie solely with the Market Operator, failure to do so will result in the termination of any approved licenses.

2 General Conditions

At least 28 days' notice of intent must be given in writing to the Markets Service. Failure to comply renders both the operator and occupier of the land liable to prosecution. The Council requires that this notification is provided in the form of a market licence application.

The Council reserves the right to take formal legal action against any person or company who attempts to operate an unlicensed market or car boot sale.

Each approved event will normally be limited to no more than 50 trading stalls, spaces or vehicles, although special permission may be obtained for more than 50 if required.

Permission shall only be granted during the course of any financial year (1st April – 31st March) to hold a maximum of 14 events.

The above conditions apply to temporary or occasional markets or car boot sales. Operators who are seeking to establish permanent operations are required to forward their proposals in the first instance to markets@bristol.gov.uk for prior consideration. Requests for more than 14 market events per annum can only be considered when supported with proof of approved planning permission.

The organisers shall indemnify the Council against any claims, costs, charges and expenses which may arise as a result of the City Council granting a licence under its Market Charter for the event.

Licence Applications

- Applications for licences must be made via the official online application form.
- Applications must be received by no less than 28 days before the date of the event.
- Market license applications must be renewed every financial year (April – March).

Periodic visits will be made to licensed events by an officer of the City Council to ensure compliance with the licensing conditions. Any non-compliance, including attempts to avoid payment of the full licence fee will result in future applications for a licence being refused.

Licence Fees

- ***Administration Fee*** £40 from 1 April 2025. This is applicable for all applications.
- ***Commercial markets*****:** £4 per pitch per market from 1 April 2025.
- ***Charitable:*** £2 per pitch per market from 1 April 2025.

Market operators are required to supply any market days and trader numbers quarterly to the Markets team for invoicing purposes. If this information is not supplied in a timely manner an invoice shall be issued for the total daily pitches outlined in the initial application with no right of appeal.

Car Boot Sale Terms and Conditions

Car boot sales shall be restricted to householders selling articles surplus to their own requirements. New goods or items bought in for re-sale shall not be permitted.

No commercial traders are to be permitted.

Goods must be of a second-hand nature and regarded as surplus to domestic use.

Insurance

A market operator must have public liability insurance of at least £5 million and ensure all traders have appropriate insurance in place.

Risk Assessments

All applicable risk assessments should be completed to identify and minimise or eliminate any risks as necessary.

Operating Conditions

Waste, Site Cleansing and upkeep

The site together with any ancillary toilet and car parking areas, shall be left in a clean and tidy condition after the event. Waste provision must be in place for public use. Waste should be removed from site following every event. Any damage to the land, buildings or assets must be reported directly to the landowner.

Land Permissions & Location

The prior approval of the site owner and if necessary, the local planning authority, police and fire authority is required. This information is required in the application process. This applies to both public and private land, internally and externally (inside and outside of buildings).

Site suitability

The site will be of a suitable size and nature to accommodate the proposed number of cars and visitors attending the event.

Adequate arrangements should be made to provide car parking, litter removal, toilet facilities and first-aid provision. Location sites should not conflict with surrounding uses, especially in housing areas. Markets or car boot sales should not adversely inhibit existing/other trade to an unacceptable degree i.e.blocking entrances.

Staffing

There must be an adequate number of responsible persons present at the site/entrance/exit to direct pedestrians, vehicular traffic and to ensure compliance with all safety regulations.

Market & Site Inspections

The organiser will allow an officer of the Markets Team to visit the event on the day held, whilst trading is carried out. These inspections can be carried out with no advance notice.

Planning Permission

Planning permission might also be required, and any market operator should consult with the Council's Planning Department to ascertain whether any planning considerations are relevant. If planning permission is required, proof of such permission must be shown.

Vehicles, Traffic & Road Safety

Adequate access for any emergency vehicle is required to the event site. It should also be possible for any emergency vehicle to exit without having to reverse. If necessary, a suitable turning circle should be provided to facilitate this.

The organiser must maintain a register of vehicle registration number and type of vehicle for all sellers attending a car boot sale, and if requested, make such information available to officers of the Council, Police and any other enforcement agencies.

It will be necessary, especially if a large event (for example over 50 stalls) is being organised, to make contact with the local Police and if applicable local Safety Advisory Group (SAG).

Nuisance

Noise and litter are important environmental considerations. Both site location and management should seek to minimise such problems. Steps should be taken to minimise any odour nuisance from catering facilities.

Fire Safety

You must ensure that adequate precautions are taken to ensure fire safety. This includes fire risk assessments. All fire safety must be in line with HSE guidance.

First Aid

First aid provisions and trained members of staff must be available for each market event or car boot sale.

Goods for Sale

As a market operator you must ensure that no untoward goods are bought or sold at your market as per current Trading Standards. this will include but is not limited to:

- Stolen Goods - There is clearly a possibility of the event being used as a means of disposing of stolen property. If you suspect this is happening, you should contact the Police immediately.

- Unsafe Goods - Electrical goods, toys, upholstered furniture and fireworks are just some of the items that can pose a hazard to consumers. Specific controls exist to ensure the safety of purchases. Further advice and guidance is available from Trading Standards.

- Counterfeit Goods - The car boot sale as an example can be one of the most common outlets of counterfeit clothing, watches, etc. If you suspect any of these are being sold, or indeed any other items which you believe may be counterfeit, please contact Trading Standards.

- Duty Free Goods -It is an offence for sellers to supply duty-free products such as alcohol, cigarettes or perfume.

- Sale of Goods Act - Goods bought from traders should be of merchantable quality, as described and fit for the purpose for which they are intended. Goods bought from ‘private’ sellers should conform to any description applied to them.

Health & Safety at Work etc Act 1974

Market operators must ensure compliance with the Health and Safety at Work etc Act 1974.

Food Safety

All traders must be registered with their local authority Food Safety Team as well as complying with Food Standards Agency. Including but not limited to handwashing, food prep, documentation, personal hygiene and water facilities.

Gas & Electrical Safety

All gas appliances must follow the Gas Safety (Installation and Use) Regulations 1998 and all other Gas Safety regulation. All applicable electrical equipment must be PAT tested.

Use of Electric

If your market involves using highway electrical provision, you must apply for a licence by contacting the Highway Electrical Asset Team and follow their policy