

**Application form for a Market Licence**

**Issued by Cumberland Council under the provisions of Part III of the Food Act 1984**

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

Cumberland Council (the Council), by virtue of its statutory powers, enjoys market rights throughout the Cumberland Council area and is in a position to license market events within the Council area.

The Council has adopted a Markets Policy which sets out the process via which the granting of licences to hold markets within its area will be made and the criteria against which applications will be assessed.

The current Markets Policy is available to view at [Markets policy link](https://www.allerdale.gov.uk/en/sport-leisure-arts-culture/markets/) or a hard copy available on request from phil.byers@cumberland.gov.uk. 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 being 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 Cumberland 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. Cumberland Council can only licence regular Markets up to 25 stalls/gazebos, without further permission.

The Council operates a number of markets within its area 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, at least 30 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 and the fee required in respect of the markets licence has been received by the Council.

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, road closure orders 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.

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

**Phil Byers Cumbria House, 117 Botchergate, Carlisle, Cumbria, CA1 1RD**

Tel: **07753 934540**

Email: phil.byers@cumberland.gov.uk or by contacting Cumberland Council Markets.

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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 including 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 / Craft Fair

Food Market

Farmers’ Market

Other (please specify)

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, stands will there be? Cumberland Council can only licence regular Markets up to 25 stalls/gazebos, without further permission.

Please provide details of the type of goods that will be sold and whether such goods will be new or used. Please also provide details of any food / drink items that will be sold.

Please provide details of any entertainment that will accompany the market.

When will the market 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 attach a list of dates

Please give the trading times of the market:

Will alcohol be on sale at the market? (Please tick)

Yes No

**Section 3: Operational Issues**

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

Please provide details of the arrangements that you will make to supply **power** (if required) to the market. Please note that any electricity generators used should be fit for purpose and comply with current best-practice guidelines in terms of noise and emission levels.

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

**Section 4:** **Community based markets with a strong charitable element**

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

Where the market is to be operated on a non-profit making basis to assist a charity or community event then the licence fee may be waived. While it is acknowledged that some traders will be selling goods for their own purposes, the Council will look for the event to have a strong charitable element.

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: Licence Fees**

A Licence Fee is payable once an application for a market licence has received in principal approval from the Council. A licence agreement will not be drawn up by the Council until the appropriate fee has been received. All fees should be made payable to Cumberland Council.

The licence fee will be dependent on the type of market being held. The licence fee for commercial markets will be based on the size of the market, location and the frequency and location of the market. Where the market is to be operated on a non-profit making basis to assist a charity or community event then the licence fee may be waived.

**Section 7:** **Declaration & Additional Information**

In addition to obtaining a Market 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.

The information that you have provided in support of your application for a markets licence will be kept private and confidential although the Council may use such information for the prevention and detection of fraud. The Council also reserve the right to share the information you have provided with other bodies when required by law, statutory requirement and in respect of crime prevention and detection.

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)

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 Cumberland 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:

**Phil Byers**

**Cumbria House, 117 Botchergate, Carlisle, Cumbria, CA1 1RD**

**Tel: 07753 934540 Email:** **phil.byers@cumberland.gov.uk**