



LICENSING COMMITTEE REPORT

Report Title	Review of Car Boot Sale fees and conditions.
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AGENDA STATUS: PUBLIC

Committee Meeting Date:	11 February 2013
Policy Document:	Car Boot Sales
Directorate:	Customers and Communities

1. Purpose

That the Committee formally review Car Boot Sale fees and conditions.

2. Recommendations

2.1 That with effect from 1st March 2013.

- (i). fees be increased in line with Appendix A
- (ii) that following requests from the organisers of such events, the existing Car Boot Sale Conditions (1) and (3) for the Borough be amended to read:

(1) Frequency, Size and number of events

No more than 12 car boot sales or similar events (“events”) may be held on any one site per year, with at least 14 days between each event. Organisers should ascertain whether planning permission is required. Each event shall be limited to not more than 200 pitches.

(3) Duration of Events

Events in residential areas shall not commence before 8.00am and shall finish no later than 4.00pm with a maximum duration of four hours.

2.2. The Car Boor Sale conditions were introduced in 1998 and amended in July 2002.

3. Issues and Choices

3.1 Report Background

3.1.1. Northampton Borough Council, as holder of the market franchise, requires all car boot sales and similar events held within 6 $\frac{2}{3}$ miles of Northampton Market Square to be registered with the Council and operate under a permit issued by the Council.

3.1.2. Permits are granted for a period not exceeding 12 months and will expire on 31 December each year. They will only be issued to charities or non-profit making philanthropic bodies. Traders are not allowed to trade at these events.

3.2 Issues

3.2.1. Although fees have not been increased since 2003 permits are only granted to recognised charities and/or philanthropic bodies (eg. the local football club or playing field to raise money for equipment or team kit) some of those bodies rely on the event to raise additional funds to run the club.

3.3 Choices (Options)

3.3.1 To adopt the new fee structure as recommended.

3.3.2 To reject the new fee structure.

3.3.3 To introduce an alternative fee structure

3.3.4 To amend Conditions (1) and (3) as recommended.

3.3.5 To refuse the recommended amendments to conditions and allow conditions to remain unchanged.

3.3.6 To introduce alternative amendments.

4. Implications (including financial implications)

4.1 Policy

4.1.1 Save for the recommended changes, there would be no other change to the existing policy.

4.2 Resources and Risk

4.2.1 There is a fee payable to the authority from the organisers of Car Boot Sales that contributes towards the cost of administration and enforcement of the service.

4.2.2 There is a risk that charities may be adversely affected by a reduction in income.

4.3 Legal

4.4 Equality

4.4.1 There are no equality issues to be addressed; any issues relating to public safety have been addressed within the existing policy.

4.5 Consultees (Internal and External)

Legal.
Finance.

4.6 Other Implications

4.6.1 N/A

5. Background Papers

- 5.1 Car Boot Sales Policy and Conditions.
- 5.2 Northampton Markets Charter

Report Author: Philip Bayliss
Title Senior: Licensing officer
Ext: 7099

Table of fees for Car Boot Sales.

Number of Pitches	Fees 2012	Fees 2013
1-20 Registration fee	£10.00	£10.00
Fee per event	No fee	No Fee
21-50 Registration fee	£10.00	£10.00
Fee per event	£10.00	£15.00
51-75 Registration fee	£20.00	£25.00
Fee per event	£15.00	£20.00
76-100 Registration fee	£20.00	£30.00
Fee per event	£20.00	£25.00

Should the committee agree to the recommendations with regard to Conditions (1) and (3) of the Car Boot Sale Policy the following table of fees are in line with those above.

Number of Pitches	New Fee 2013
101-125 Registration fee	£35.00
Fee per event	£30.00
125-150 Registration fee	£40.00
Fee per event	£35.00
151-175 Registration fee	£45.00
Fee per event	£40.00
176-200(Max) Registration fee	£50.00
Fee per event	£45.00

NORTHAMPTON BOROUGH COUNCIL

CAR BOOT SALES POLICY

to operate from 1st January 1998

(1) **Frequency, Size and number of events**

No more than 10 car boot sales or similar events (“events”) may be held on any one site per year, with at least 20 days between each event. Organisers should ascertain whether planning permission is required. Each event shall be limited to not more than 100 pitches.

(amended July 2002)

(2) **Notification**

The Council shall be notified at least 14 days in advance that an event is to take place by the charity, charities or philanthropic non-profit making bodies by whom the event is to be held.

(3) **Duration of Events**

Events in residential areas shall not commence before 10.00am and shall finish no later than 6.00pm with a maximum duration of four hours.

(4) **Advertising of Events**

Where events are to be advertised (by press notices, posters or leaflets for example) there shall be stated in such statements “No traders allowed” (to make it clear that the events are for the public and that traders are excluded) and the name or names of the charity, charities or philanthropic non-profit making bodies organise the event.

(5) **Parking**

Organisers shall ensure that people attending the event park within the site and/or arrange for convenient off street parking elsewhere. In addition, there shall be stewards to supervise parking.

(6) **On Site Notices**

On site notices shall be displayed at the entrance to the event with the words “No traders allowed” and the name or names of the charity, charities or philanthropic non-profit making bodies organising the event.

(7) Person Responsible

There shall be at least two people, readily identifiable, on the site at all times during an event to liaise with Council officers and others if necessary.

(8) Compliance with Statutory Provisions

Organisers and landowners shall comply with all relevant statutory provisions and in particular ensure that no flyposting takes place and remove any advertisements and signage immediately after the event including any that appear in breach of this condition.

(9) Insurance

Organisers shall hold public liability insurance in the sum of at least £2,000,000 and produce the policy and receipt for inspection to Council officers on demand.

(10) Commercial Traders

Sales shall be limited to second hand goods no longer required by the private seller. Commercial and other traders shall not be allowed to take part. A trader is a person who buys goods for resale. One commercial refreshment stand per 50 pitches is permitted solely to provide refreshments for persons attending the event to consume on site.

(11) Proceeds

All proceeds, other than expenses not exceeding a maximum of 25% of the gross income from the event, shall be used for charitable or other philanthropic purposes.

(12) Form of Account

Organisers shall return the Form of Account (supplied by the Council) duly completed to the Council within 28 days of each event.

(13) Inspection of Accounts

Organisers shall make all accounts available for inspection by Council officers on demand.

(14) Emergency Access

Adequate access to and within the site shall be maintained for use by emergency services vehicles.

(15) Entry by Officers

All authorised officers of the Council shall be permitted to enter the site free of charge during events for inspection purposes.

Failure to comply with the above conditions may result in prosecution for being in breach of the Markets Charter held by Northampton Borough Council.