



# Edenbridge Town Council

Town Clerk: Caroline Leet



Item 29.1

## DECLARATION OF MARKET POWERS – Food Act 1984 part III

Food Act 1984 Part 111 enables the Town Council to determine what market days it wants to use. There is no procedure required to make use of Part 111, it is simply a case of declaring this is the legal power that you are using. This will cover any day of the week for the Charter Market.

Part 111 is the modern statutory framework for markets and can be used by a Parish Council. The Charter can be used as an historical background, but using Part 111 allows specific powers to deal with the management of the market.

### The history of markets

There has been a market in Edenbridge for nearly 800 years – it was established by a Charter granted by Henry III in 1227. The site of a regular cattle market from the mid-1840s until 1928, the rings for tethering the cattle can still be found on the east wall. Pre-Christmas Fat Stock and Rootstock Shows were held from 1869 until the late 1950s.

Although a Royal Charter granted the right to hold a market, this did not necessarily mean that the market was established then or ever. To avoid disrupting existing trade, charters gave the right to hold a market only if this was not at the expense of a neighbouring one.

Edenbridge is located on the Kent/Surry border and is in the district of Sevenoaks. It is surrounded by the villages of Chiddingstone, Cowden, Four Elms and Hever. The B2026 is the main road that goes through Edenbridge and leads north to Westerham and A25/M25, and south to A264 to Tunbridge Wells or East Grinstead. It is a growing town with a population of approximately 10,000.

The site is in the Market Yard Car Park set just off the High Street and next to the idyllic Parish Church and churchyard. This is an uncovered open market area, which has the potential to accommodate up to 15 stallholders (depending on pitch sizes of traders). There are good public toilet facilities on site and public car parking.

Edenbridge's market has always been popular with residents, it attracts people to the town centre and High Street and is a visitor attraction.

### The current markets offer

For the past 50-years (and longer) the Edenbridge Market has been held on Thursdays, located at Market Yard Car Park, Edenbridge. It provides a range of stalls from meat, fish, vegetables, bread, cakes, hardware, plants, pet supplies and crafts. This has not excluded markets on other days.

It has been managed previously by market traders' companies and more recently the Town Council. Traders pay a weekly pitch fee (some have a monthly payment arrangement).

### The approach to markets

The Town Council currently operates the market but is open to a market operator.

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**Council offices:** Doggetts Barn, 72A High Street, Edenbridge, Kent TN8 5AR

**Office hours:** Monday – Friday 9.00am – 5.00pm **Tel:** (01732) 865368

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The role of the market is providing a community alternative retail offer. The aspirations for the future are to ensure the continued successful operation of the market and expand the range of traders, creating a vibrant market. This includes:

1. Continually seeking to draw in new stall holders.
2. Bring fresh and innovative ideas that will raise the aspirations of the market, delivering increased and sustained footfall.
3. To promote the market within Edenbridge and draw new people into the town, especially people from neighbouring villages.
4. Manage the market area set within the car park and stallholders; and to keep the area clean and tidy at all times.
5. To ensure all stall holders are well presented, keep a smart pitch area and hold the appropriate public liability traders insurance and other as required.
6. Ensure health and safety and other statutory standards are met.
7. No trader shall sell any counterfeit goods, illegally copied goods, inferior goods, or unsafe goods.

The Market currently operates a minimum of 5 hours on each Thursday; opening at 8.00 am until 2.00 pm. However, where there is opportunity, the market can operate up to 5.00 pm.

There is easily capacity for 10 pitches, with scope to expand to up to 15 pitches subject to pitch sizes, and this should not compromise the public car parking area on market days. (Appendix A)

#### **Declaration of market powers**

Market powers arise in the following ways:

- a) Royal Charter or Letters Patent
- b) Other ancient powers such as Lost Modern Grant, Immemorial User or Prescription
- c) Local legislation
- d) Part 111 of the Food Act 1984

#### **Edenbridge Royal Charters:** Extract from 'Gazetteer of Markets & Fairs'

EDENBRIDGE 5444 1457.

M (Charter) Sat; gr 1227x72, by K Hen III to Robert de Camull. In 1279, Robert Camull was holding the market (QW, p. 350).

Local legislation relates to legislation promoted by individual local authorities, and local authorities working in partnership, to provide particular services and deal with property issues. Sevenoaks District Council currently does not provide market licensing, unless there is the sale alcohol.

**Part 111 of the Food Act 1984** contains the modern statutory framework for markets.

#### **Section 52** - Market days and hours

Declaration to be able to hold a market on any of the following days: Monday, Tuesday, Wednesday, Thursday, Friday, Saturday, Sunday

Hours: Monday to Friday 08:00 to 17:00 hours; and Saturday and Sunday 09:00 to 16:30.

**Section 53** - Market charges – the right to charge traders pitch fees.

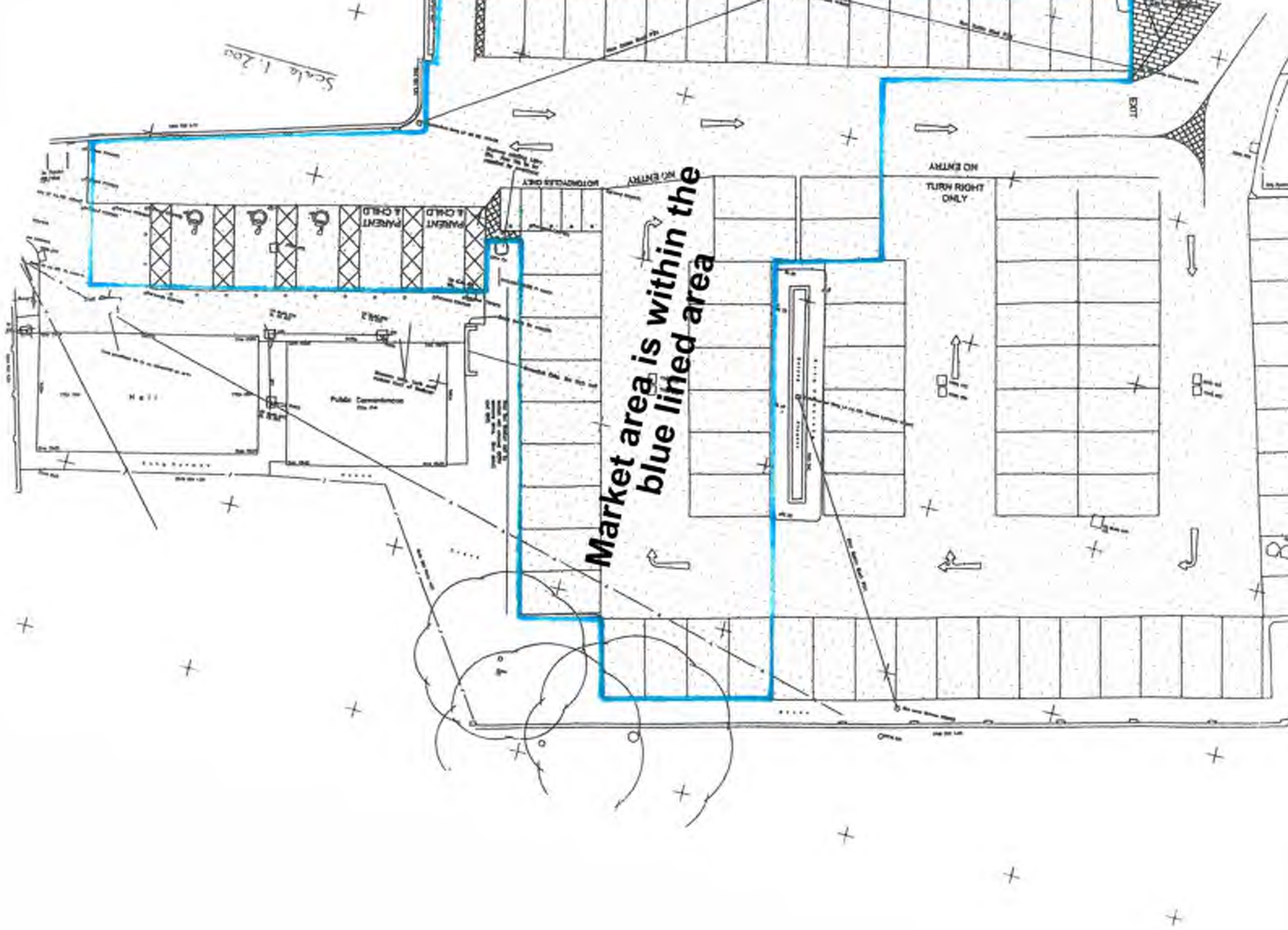
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Scale 1:200



**Market area is within the blue lined area**