Contents

1. Introduction 2
2. What is a Market Event? 2
3. Market Rights 3
4. The Council's Markets 3
5. Licensing Private Markets Under the Council's Market Rights Policy 4
6. Exemptions 9
7. Market Licence Fee 9
8. Other Approvals 9
9. Section 37 of the Local Government (Miscellaneous Provisions) Act 1982 10
10. Enforcement 10
11. Review 11

Appendix 1: 12

Application form for a Market Licence issued by Burnley Council under the provisions of Part 111 of the Food Act 1984 12

Section 1 Your details 1

Section 2 About the Market 2

Section 3: Operational Issues 4

Section 4: To assist a charity or community event 5

Section 5: Licence Fees 6

Section 6: Declaration & Additional Information 6

Appendix 2: 8

Table of Market Licence fees for current financial year 8

BURNLEY BOROUGH COUNCIL
MARKET RIGHTS POLICY

1. Introduction

1.1 The Borough of Burnley ('*the Council*') recognises the important contribution that markets make to the local economy and the character of the area. Markets remain an important Council service and, in many ways, will continue to support and contribute to the local community they serve.

1.2 The Council's markets (which are described in more detail in Paragraph 4 of this Markets Rights Policy) represent an important investment by the Council in delivering economic regeneration and town centre vitality.

1.3 The Council is committed to maintaining the balance of its markets throughout the area of Burnley and ensuring that there is consistency in the way markets are operated. To this end, the Council has decided to implement a markets rights policy which sets out the legal basis upon which markets are held and the process through which applications for markets shall be considered ('*the Markets Rights Policy*').

1.4 The Council recognises that there are many different types of market activities. Accordingly, the Markets Rights Policy is intended to cater for each type of market event ('*the Market Event.*) In particular, the Markets Rights Policy distinguishes between commercial markets and those that are largely community-based with a strong charitable element.

1.5 The Council wishes to support smaller artisan and specialist makers in our towns where they contribute to the vitality and viability of town centres and where they support community events, provided that they are well run. However, it is important that the Council protects its assets from rival operators that may undermine the viability of the market. For this reason, the revised Markets Rights Policy includes provisions at paragraph 5 to manage such circumstances. The previous policy was not clear on this matter.

1.6 Paragraph 5 of the Markets Rights Policy deals with the different types of market activities and sets out the Council's approach when considering applications in respect of such markets.

2. What is a Market Event?

2.1 The Markets Rights Policy is intended to apply to all Market Events held within the area of the Council. Guidance notes are set out below indicating which activities the Council regards as being a *'market*. ' However, these notes are not intended to cover all potential eventualities, and the Council reserves the right to apply additional requirements in appropriate circumstances.

2.2 The legal definition of a market is a '*concourse of buyers and sellers*.' This means that the public are entitled to attend the Market Event to buy and sell goods.

2.3 A market shall be comprised of not less than five stalls, stands, vehicles (whether moveable or not) or pitches from which articles are sold and normally there shall be a range of different sellers.

2.4 The Market Event may be held either outdoors or in a building.

2.5 There shall be an operator ('*the Market Operator*') who shall be responsible for the organisation and delivery of the Market Event.

2.6 The Market Operator means the person, body, or organisation to which a market licence is granted by the Council.

2.7 Market Events include car boot sales, antique and craft markets, farmers' markets, and charitable markets. However, this list is not exhaustive.

2.8 A Market Event may sometimes be held as part of a wider event. When this arises the market element (comprising of five or more stalls) of the event shall be subject to the Markets Rights Policy. Where a premises licence for a wider event (which includes a market element) has been issued by the Council then a separate market licence may not be required. However, this requirement shall be determined on a case-by-case basis.

2.9 The Markets Rights Policy differentiates between markets of a commercial nature and community-based markets that have a strong charitable element. The definition of what constitutes a commercial market, and a community-based market can be found in Paragraph 5.

2.10 The Markets Rights Policy does not apply to street trading activities. Street trading is controlled by a different licensing process and relates to the granting of individual trading licences for identified streets.

3. Market Rights

3.1 The Council, by virtue of its historic franchise market rights and statutory powers, enjoys exclusive market rights throughout the area of Burnley. This means that the Council owns the market rights to operate, licence or if necessary, prevent through legal action all markets being held or to be held within a $6^{2/3}$ miles radius of any market it operates or licences. These market rights were first granted by Edward I by Charter made on 6th June 1294 to Henry de Lacy Earl of Lincoln.

3.2 As markets grew, particularly during the industrial revolution, there was a need to ensure that the local authority had control over such activity given that the markets were both important for feeding the working class and giving the authority profit and prestige.

3.3 As such, many Councils including Burnley pursued Acts of Parliament to empower their market rights and set out the rules and regulations surrounding such activity.

3.4 All markets currently held in Burnley are statutory markets currently licensed and operated in accordance with the provisions of Part III of the Food Act 1984. This followed the enactment of the provisions of Part VIII of the County of Lancashire Act 1984

3.5 The statutory powers afforded to the Council under the provisions of Part III of the Food Act 1984 enable the Council to:

- 3.5.1 implement a Markets Policy within its area.
- 3.5.2 operate markets within the Council's area.
- 3.5.3 seek to suppress Market Events held outside the Council's area but within the radius of the common law distance of $6^{2/3}$ miles of its markets.
- 3.5.5 consider applications for the holding of other Market Events; and
- 3.5.6 determine whether such markets can be held by way of consent.

4. The Council's Markets

4.1 Burnley Council currently operates the following markets from Burnley Market Hall: -

- 6 Day a week new goods Market
- Monthly Indoor Car Boot Market
- Monthly Makers, Bakers, Creators Market
- Bi-Monthly Record Fair
- Annual Young Traders Market
- Annual Christmas Gift Market
- Bi-Annual Comic Fair
- Annual Psychic Fair

4.2 Markets operated, but currently closed, over which the Council retains the rights to operate are:

- Padiham Market which operated twice a week
- Burnley's Open Market which operated a new goods market 3 days a week
- Weekly Bric a Brac market on Burnley's Open Market

4.3 The Council will keep under review the times, dates and locations of the markets that will be operated but it is intended to operate its principal market from Burnley Market Hall.

4.4 The Council has the power to establish new markets if it so wishes, or to resurrect defunct markets formerly held within its area – as either regular or occasional events. Accordingly, the market operation shall be updated as part of a periodic review of the Council's Markets Policy. The Council will operate any new markets under the provisions of Part III of the Food Act 1984.

5. Licensing Private Markets Under the Council's Market Rights Policy

5.1 The Council's consent to a market derives from the grant of a market licence. Such consent must be forthcoming prior to the Market Event taking place. Any Market Event that takes place without such a licence shall be in breach of the Markets Rights Policy and may be subject to the enforcement action described in Paragraph 10 below.

5.2 Markets shall only be licensed once an application for a markets licence has been approved (and signed by both the Council and the Market Operator) and the appropriate fee received by the Council. See Appendix I for the licence application form.

5.3 Market licences are issued to the market operator identified in the application and are not transferrable.

5.4 The Council shall consider applications in respect of the following categories of market events:

(1) Commercial markets; and
(2) Community-based markets with a strong charitable element.

Commercial Markets

5.5 A commercial market is one which is operated for profit and where the traders are engaged in a business activity of selling goods for their own purposes. The Council shall consider applications in respect of commercial markets having regard to the following requirements:

5.6 No market shall be authorised within $6^{2/3}$ mile radius of the Council's area to the detriment of an existing licensed market unless it can be demonstrated that the new market shall not undermine the existing market and shall not prejudice the overall market provision within the Council's area.

5.7 The applicant shall provide a site plan showing the extent of the proposed market area and proposed layout of stalls.

5.8 The applicant shall undertake a risk assessment in relation to the proposed operation of the market and make this available for inspection by the Council upon request.

5.9 The applicant must ensure that all other necessary consents and licences have been obtained prior to the market taking place.

5.10 A fee must be paid in respect of any consent given by the Council, which shall be based on both the size of the market and the frequency with which the market is held. The fee must be paid before the market is held. Please refer to Appendix 2 for a list of the current fees.

5.11 In respect of any such consent the Market Operator must have adequate insurances in place (including the **minimum of £5 million public liability insurance) and ensure that all stallholders have their own adequate insurances in place**, also including the minimum of £5 million public liability insurance.

5.12 All trading standards guidelines, health and safety requirements and any other relevant legislation must be adhered to.

5.13 The Council shall maintain the expectation that the proposed market must complement existing retail activity in the local area and support the Council's objective of helping to create a thriving town centre that is attractive and welcoming.

5.14 Following outline approval of an application a licensing agreement must be entered into between the Operator and the Council, and such licensing agreement must be signed by both the Council and the Operator before the Market Event takes place. The licence agreement will cover the issues set out in this section and all other matters the Council deems to be relevant including the following:

- Waste disposal arrangements
- Road closures and traffic management
- Noise and nuisance
- Health and safety issues
- Waste disposal arrangements
- Power usage

Community-Based Markets with a Strong Charitable Element

5.15 Community-based markets are normally organised by local communities or organisations with the intention of raising funds for a specific charity or celebrating a special event.

5.16 The Council shall consider applications in respect of Community-Based Markets having regard to the following requirements:

5.17 The Market Event must be operated on a non-profit making basis to assist a charity or community event, and the Operator shall supply relevant information to the Council if so requested. Whilst it is acknowledged that some traders shall be selling goods for their own purposes, the Council shall require that the Market Event should have a strong charitable element in the way the Event is organised.

5.18 The applicant shall be required to provide a site plan showing the extent of the proposed market area and proposed layout of stalls.

5.19 The applicant shall be required to undertake a risk assessment in relation to the proposed operation of the market and make this available for inspection upon request.

5.20 The applicant must ensure that all necessary consents (e.g. planning) have been obtained prior to markets taking place.

5.21 Where the Market Event is to be operated on a non-profit making basis to assist a charity or community event then the licence fee may be waived see exemptions Paragraph 6

5.22 In respect of any consent the Market Operator must have adequate insurances (including the **minimum of £5 million public liability insurance**) **and all stallholders should have the minimum of £5 million public liability insurance cover in place.** Where individual stallholders do not have their own public liability insurance cover in place the insurance cover held by the Market Operator should cover the activities of these stallholders.

5.23 All trading standards guidelines, health and safety requirements and any other relevant legislation must be adhered to.

5.24 Following outline approval of an application a licensing agreement must be entered into between the Operator and the Council, and such licensing agreement must be signed by both the Council and the Operator before the market takes place. The licence agreement will cover the issues set out in this section and all other matters the Council deems to be relevant including the following:

- Waste disposal arrangements
- Road closures and traffic management
- Noise and nuisance
- Health and safety issues
- Waste disposal arrangements
- Power usage

5.25 The Council will insist on any other requirements as are deemed appropriate.

5.26 Applications in respect of both commercial markets and community-based markets should be sent to the Markets Manager **at** markets@burnley.gov.uk

Permanent Markets

5.27 Permanent markets are those markets that wish to open for most of the shopping days throughout the year. These will not normally be issued with a typical market rights licence but instead will have a contract that meets the needs of the market as well as providing suitable remuneration for the provision of market rights. These agreements will provide an annual licence fee that reflects the permanent nature of the market.

5.28 Process for determining Market Licence Applications ~ Conditions & Criteria for all markets

The qualifying conditions that must be met and the criteria that will be considered before a licence will be issued are as follows: -

1. Every application is considered on an application-by-application basis.

2. General retail type markets will not be acceptable.
3. There must be no economic detriment to Burnley Borough Council or its traders on established markets. Goods must be mainly specialist in nature including but not limited to artisan markets, craft markets, farmers markets, antiques markets and vintage markets or for fundraising purposes to be granted a licence.
4. The type of goods to be sold, **MUST** be agreed with the Council.
5. The suitability of the site, including but not limited to the nature of the surface, access and egress for buyers, vendors, and emergency vehicles.
6. Where applicable proof must be provided that the site owner has given permission for their land to be used for the purpose of holding a market.
7. The appropriateness of the site taking into consideration the proximity to residential property/major road junctions.
8. The availability of on and off-street parking, external to the site, for use by buyers.
9. The intended frequency of the market.
10. The likely effect on the local amenity of the market.
11. Local opinion on the holding of the market.
12. Arrangements for dealing with any noise, litter, or environmental damage.
13. Regard to the overall size of the market.
14. Health and safety of vendors and buyers, including access to toilet facilities if the market is to be over 4 hours in duration and the provision of acceptable first aid facilities
15. Food vendors must be registered with Environmental Health and have a Food Standards Rating of 5. For information on how to become registered and for charities and one-off events please go to www.burnley.gov.uk/business/environmental-health. Please also see also www.ciehnational-guidance-for-outdoor-and-mobile-catering.pdf
16. Car boot sales should be restricted to the sale of used goods.
17. Agreement to or a proven good record of consultation with relevant emergency services.
18. Obtaining planning consent where required.
19. A total prohibition against the sale of livestock or live animals, explosive materials of any kind and illegal or counterfeit goods on the site.
20. A total prohibition against gaming or betting on the site
21. If operated on a Sunday, the market complies with the Sunday Trading Act in that it will not allow trading for more than a maximum of 6 hours.
22. The licence as issued will exempt the Council from any liability or loss arising from the operation of the market. The licence may be revoked at any time at the discretion of the Market Manager.
23. The licensee is also responsible for ensuring adequate public liability insurance is taken out to cover any damage or loss arising from the market and to keep the Borough Council indemnified against any such loss.
24. The licensee must also comply with trading standards guidelines, health and safety requirements and other statutory provisions laid down by the Council.

5.29 An electronic version of the Council's Markets Rights Policy, together with the relevant market licence application form, can be obtained from markets@burnley.gov.uk. A market licence application form can be found at Appendix 1.

5.30 The Council will endeavour to deal with applications for a markets licence within a period of twenty working days from receipt of the application. Applicants are urged to apply as early as possible to ensure that the Council has adequate time to consider the relevant matters in an appropriate way. In considering the application the Council will require sufficient information to deal with all the issues set out in the criteria listed above and covered on the application form. Failure to provide such information is likely to lead to a delay in the Council coming to a decision.

5.31 The authority to grant a market licence is delegated to the Director of Economy and

Development under the Council's constitution and scheme of delegation.

5.32 All decisions to grant market licences are made at the discretion of the Council.

Complaints

5.33 Any complaints need to be made via the Council's complaints procedure either in writing or online and we will respond in line with the Council's complaints published procedures.
Complaining about a Council service - burnley.gov.uk

Appeal Process

5.34 If the Council decides to refuse an application for a market licence it will contact the applicant and set out the reasons for its decision.

5.35 There is no statutory right of appeal against refusal to issue a market licence, however, you may make an application to appeal against the decision, and the consideration of such an application lies entirely within the discretion of the Council.

5.36 Any appeal against a decision to refuse a market licence must be made in writing to the Council, setting out the reasons the applicant believes the refusal is unwarranted.

5.37 On receipt of an appeal request the decision to refuse the market will be reviewed and the applicant informed of the outcome.

Renewing a Market Licence

5.38 Market Operators must re-submit their application every **12 months** if they wish to continue to operate a regular Market Event. This must be done at least one month before their current market licence expires.

5.39 The Council will not send out reminders for renewals. It is up to the Market Operator to renew their application on time.

5.40 Lapsed market licences will be dealt with as new applications.

Amendments and cancellations

5.41 A request to amend or cancel a markets right licence must be emailed to markets@Burnley.gov.uk at least 7 days before the proposed trading day(s) this will affect. Information will be provided on whether any additional fees or refunds apply.

5.42 If the request is a change of venue, market type, or additional trading days then there may be a requirement to submit a new application.

5.43 The number of trading spaces permitted must not be exceeded.

5.44 Administration and legal fees are not refundable. A refund of fees may occur for cancelled or amended licence where:

- the change or cancellation is to any future trading days
- the cancellation or amendment is not due to breach of licence

- an email request is received a least 7 days in advance of the affected trading day

6. Exemptions

Non-For-profit Charitable Markets

6.1 The Council does not consider Market Events organised by Charitable bodies and Community Groups, where stalls are manned by volunteers from the organising group, regardless of the number, to be a market, i.e. where a toll for trading space is not being paid to the organiser, such as jumble sales, Christmas Fayres and Charity Fayres and therefore a licence is not required.

Under four-person traders/vendors

6.2 If the Market Event will have only four or less than four paying traders/vendors in attendance, it is not considered to be a market for the purposes of payment of a licence fee to the Council. However, the Market Event may still need to meet other planning considerations depending on its frequency, and you may wish to contact the relevant Planning Authority to establish if this is the case.

7. Market Licence Fee

7.1 A licence fee is payable once an application for a market licence has received, in principle, approval from the Council. A licence agreement will not be drawn up by the Council until the appropriate fee has been received. The fee payable for a market where several markets are taking place throughout the year organised by the same Market Operator, must be paid prior to each market event being held.

7.2 The licence fee will be dependent on the type of market being held:

- Commercial markets - the licence fee for commercial markets will be based on the size of the market and the frequency of the market. Please see Appendix 2 for the current list of fees
- Community-based markets - 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.

7.3 All fees are payable to the Council

8. Other Approvals

8.1 It is important to emphasise that any approval given by the Council in accordance with this Markets Rights Policy shall not remove the requirement for any other relevant approvals, consents, and licences to be obtained by the Market Operator.

8.2 Where the market is being held on private land the Market Operator must ensure that the prior approval of the relevant landowner is obtained.

8.3 The Market Operator shall be responsible for any temporary road closures and associated traffic management arrangements that may be required to facilitate the operation of the market. Whilst the Council has legal powers temporarily to close roads and divert traffic to facilitate various types of events, applications for temporary road closures in relation to markets should, in the first instance, be addressed to the Council's Streetscene services at streetscene@burnley.gov.uk

8.4 The Market Operator should consult with the Council's Planning Department to ascertain whether

planning consent is needed for the Market Event to operate. Any Market Event held in the same location for 14 or more days in a calendar year will require planning consent. For further information please contact: Planning Services Planning@burnley.gov.uk

8.5 Attention is also drawn to the provisions of the Licensing Act 2003 in respect of any entertainment provided at the market or where a Temporary Events Notice might be required in respect of the sale of hot food or alcohol. For further information please contact Licensing@burnley.gov.uk

8.6 The Council may require evidence of these approvals being obtained prior to the granting of a market licence

9. Section 37 of the Local Government (Miscellaneous Provisions) Act 1982

9.1 On the 8th October 2025 the Council approved the adoption of Section 37 of the Local Government (Miscellaneous Provisions) Act 1982 ("Section 37").

9.2 Section 37 deals with temporary markets and any Market Operator of a temporary market, together with the occupier of land on which the market is to be held. Such persons are required to give to the Council not less than one month's notice of the holding of the market.

9.3 No notice is required if the proceeds of sale of the temporary market are to be applied solely or principally for charitable, social, sporting or political purposes. The Council reserves the right, in appropriate circumstances, to require evidence to be supplied in respect of such matters.

9.4 Any notice given by the Market Operator and the occupier of the land shall state: -

- The full name and address of the person intending to hold the market.
- The day or days on which it is proposed that the market will be held and its proposed opening and closing times.
- The site on which it is proposed that the market will be held.
- The full name and address of the occupier of the land if they are not the person intending to hold the market.

9.5 It is important to emphasise that the requirements of Section 37 are quite separate to the licensing of events under the Council's Markets Policy set out in Paragraph 5. The Market Operator and the occupier of the land should ensure that a notice is given to the Council under the requirements of Section 37 as soon as proposals for a temporary market are under consideration. This will enable the Council to consider a proposal and indicate its likely view on a subsequent application for a markets licence.

9.6 Failure to give a notice under Section 37 is a criminal offence and liable to a summary conviction in the Magistrates' Court.

10. Enforcement

10.1 The Council will monitor the application of its Markets Rights Policy and any Market Event which is operated after the date of the adoption of this Markets Rights Policy will be subject to the Council's requirements.

10.2 Any Market Event which is not approved by the Council under Paragraph 5 of its Markets Rights Policy will be subject to legal action and the Council may seek an appropriate remedy in the courts to prevent the market being held and/or damages as appropriate.

10.3 Any Market Operator acting in contravention of any market licence granted by the Council will run the risk of the licence being terminated by the Council with immediate effect on such terms

as the Council determines and, in such circumstances, the Council reserves the right to refuse any future applications for market licences submitted by the Market Operator concerned or any person or organisation associated with the Market Operator.

10.4 Any costs of, or associated with, enforcement action deemed necessary because of the Market Operator's failure to comply with the Market Policy will be recovered from the Market Operator

11. Review

11.1 The Council will review and continue to evaluate this Markets Rights Policy, as and when necessary, and may update it at any time.

Appendix 1:

Application form for a Market Licence issued by Burnley Council under the provisions of Part 111 of the Food Act 1984

Please read this information prior to completing the form below -

The Borough of Burnley ('*the Council*'), by virtue of its statutory powers, enjoys market rights throughout the Borough of Burnley and is in a position to license market events within Burnley. The Council has adopted a Markets Rights Policy which sets out the process by which the granting of licences to hold Market Events within the area of Burnley will be made and the criteria against which applications will be assessed. Please make sure that you have read the current Markets Rights Policy and fully understand the Council's requirements in relation to Market Events in Burnley before you submit an application.

A market is defined as being composed 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 Market Event all fall within the remit of the Markets Rights Policy adopted by the Council. If you wish to operate a Market Event within the area of Burnley 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.

The Council operates markets within the Borough of Burnley under the provisions of Part III of the Food Act 1984. Under the terms of the Council's current Markets Rights Policy no new commercial market will be authorised within the Council's area to the detriment 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 market rights within the Borough of Burnley.

You must submit the application form, together with all relevant supporting information, at least 20 working days in advance of the proposed market. You must not hold a Market Event 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 Market 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 markets licence you also secure any other relevant approvals / consents in respect of the holding of the Market Event. This may include planning approval 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: **markets@burnley.gov.uk**

Section 1 Your details:

The information provided in this section relates to the person submitting the application (the Market 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

E-mail

Telephone Number

Section 2 About the Market

Market Information

For what type of market are you applying? (Please tick only one box)

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?

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? Please give the dates: -

One-Off	☐	Please provide date	
Daily	☐		
Weekly	☐	Which day of the week?	
Monthly	☐	Which dates of the month?	
Other	☐	Please provide 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: To assist a charity or community event

Where the market Event 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

Applicant Checklist for Section 4

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 Event ☐

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 5: Licence Fees

A licence fee is payable once an application for a market licence has received, in-principle, 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 the 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 and the frequency of the market. Please see Appendix 2 of the Council's Markets Policy for the current list of fees. 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.

For the Table of current market licence fees, see Appendix 2.

Section 6: Declaration & Additional Information

In addition to obtaining a markets rights licence the Market 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 the Council's Markets Policy and agree to indemnify the Council against any loss or liability which may be incurred because 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: **markets@burnley.gov.uk**

Appendix 2:

Table of Market Licence fees for current financial year

Type of Event/Type of Operator	**Fee + Vat per event per day**
Not for Profit Charitable Markets (see section 6 exemptions)	£0
Registered Charity/Fundraising based events where tolls are charged under 50 vendors	£20.00
Commercially operated Markets 50 Vendors or less 51-100 Vendors 101-150 Vendors 151-200 Vendors 201-300 Vendors Over 300 Vendors	 £100.00 £200.00 £300.00 £400.00 £500.00 £600.00

2025/2026 Financial Year

Please note that market licences cannot be granted for a collection of 4 or fewer stalls. Street trading is covered by a different licensing process and relates to the granting of individual trading licences for identified streets. Further information about street trading activities and to apply for licences can be found at licensing Licensing@burnley.gov.uk