

Policy – Non Commercial Use of the Market Cross

1. Purpose of the report

To clarify the arrangement concerning use of the Market Cross and to request agreement by the Council to a non-charging policy for fundraising charities and community groups.

2. Background

Concerns have been raised re the use of the Market Cross by charities and community groups and what they are able to sell to raise funds. The concerns are centred on the type of items for sale which may be in direct competition with the Wiltshire Farmers Market in particular and other retailers in general.

2.1 The Wiltshire Farmers Market set up their stalls every Saturday fortnight in the area around the Market Cross. This area is under the jurisdiction of Wiltshire Council (Highways) and therefore Malmesbury Town Council do not have control over the area and do not levy any fees for usage.

2.2 The Market Cross itself is the responsibility of Malmesbury Town Council. For some time it has used by different charities and community groups, usually on a Saturday morning to raise funds through selling cakes, plants, books and bric a brac and a small charge is levied.

2.3 A verbal request has been made by the Wiltshire Farmers Market requesting that goods sold under the Market Cross do not compete with the goods sold in the market and in particular cakes. Whilst we are wish to promote the Wiltshire Farmers Market which is a great attraction for the Town Centre, we are keen to support charities and community groups who have raised funds in a similar way in the Market Cross for many years. Also, given that there are other bakeries and retailers in the Town, we do not consider that the stalls under the Market Cross provide unfair competition, in fact they are more likely to be an added draw to the Market.

2.4 Additionally, the current charging situation is now viewed as being inequitable for community groups and charities given they are asked for a fee, yet the Wiltshire Farmers Market are not charged.

3. Proposal

3.1 To agree the following:

Market Cross – Non Commercial Usage Policy

1. Charities and community groups may sell anything provided it is legal, safe and suitable to be sold in an environment in which children are present.

2. Charities and community groups may use the Market Cross to hold fundraising sales free of charge.

4. Financial implications and risks

Loss of estimated income of a maximum £260 per annum (calculated on use 52 times per year). No other risks are foreseen.

5. Recommendations

Members are requested to agree the actions proposed.

Cllr.K. Power
(Ch. P & R)

Cllr. S Poole
(Ch. TP & T)

21st October 2013