



# Hereford Markets Act 2003

## 2003 CHAPTER iv

### 1 Citation and commencement

This Act may be cited as the Hereford Markets Act 2003 and shall come into force three months from the date on which it is passed.

### 2 Interpretation

In this Act—

“the Council” means the County of Herefordshire District Council;

“the district” means the district of Herefordshire; and

“the markets” means the markets now operated by or on behalf of the Council in the city of Hereford or any of them, including—

- (a) the livestock market and general markets currently held at a site off New Market Street;
- (b) the general market held in the Butter Market, High Town; and
- (c) the farmers' market held in High Town.

### 3 Operation and regulation of markets

- (1) Subject to the provisions of this Act, the markets, and all rights in relation to them which are now vested in the Council, shall continue to be vested in the Council.
- (2) Part III of the Food Act 1984 (c. 30) shall apply to the markets as if the markets had been established under section 50 of that Act.
- (3) Without prejudice to any other powers available to it, the Council may—
  - (a) maintain and hold the markets;
  - (b) provide, maintain, alter or improve any market facility;
  - (c) permit any market facility belonging to it to be used for such purposes as it sees fit;
  - (d) let for any period upon such terms and conditions as it determines—
    - (i) the markets or any part of the markets (including any market facility belonging to it); or

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- (ii) the right of selling or holding sales of things authorised to be sold in the markets;
  - (e) where such a letting is entered into, transfer to the lessee, on such terms as it sees fit, any functions of the Council or of any of its officers in relation to the markets; and
  - (f) enter into a composition with any person with respect to the payment of any charges which it may demand under Part III of the Food Act 1984 (c. 30).
- (4) In this section, “market facility” means any market place, market house, building, land or other facility used or intended to be used for the purposes of the markets.

#### **4 Relocation of markets**

- (1) The Council may from time to time—
- (a) relocate the markets to any place or places within the district, and
  - (b) in connection with the relocation, terminate the use of any land for the purposes of the markets.
- (2) If the proposed relocation of a market under subsection (1) is such that the market would interfere with any rights, powers or privileges enjoyed by any person in respect of another market within the district, the Council shall not relocate the market without the consent of that person.
- (3) The Council shall not relocate a market under subsection (1) without first consulting with the market traders, and other interests, that appear to the Council to be likely to be affected by the proposed relocation.

#### **5 Repeals**

The enactments specified in the Schedule to this Act are repealed to the extent specified in that Schedule.