

25 July 2018

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Title	Colchester Charter Market Regulations Prohibited Items (Fur)		
Wards affected	Castle		

1. Executive Summary

- 1.1 At the recent licencing committee (21st March) which considered and approved changes to the existing Market Regulations, it was decided that an inclusion of a specific rule banning the sale of fur products (submitted as rule 12.6 under prohibited items) needed more consideration. The initial proposal for this inclusion was based on support of an Online Petition by Respect for Animals (launched in December 2017) banning the sale of all fur products at all UK Markets. Colchester Traders agreed in principle, and the sale of fur products has been prohibited since the start of 2018 using this existing rule:

12.2 No goods may be displayed or sold which in the opinion of the Markets & Street Trading Manager are inappropriate, dangerous or likely to cause offence to other traders or members of the public.

- 1.2 Respect for Animals has a rating system from zero to five stars for each market operator in the UK published on their website. Colchester Borough Council currently has a 3-star rating, and it is noted that we do not allow the sale of fur products. A 5-star rating is only awarded to market operators who adopt the following policy verbatim as drafted by Respect for Animals:

[This Council] recognises that the United Kingdom has banned the farming of animals for their fur on ethical grounds since 2000 and the use of one of the most common traps used to catch animals for their fur has also been banned for many years.

Recognising that real fur is cruel and unnecessary, this Local Authority prohibits the selling of products containing real animal fur on council owned land, council run markets or council leased markets (including seasonal and Christmas markets). All products wholly or partially made with real fur are covered by this ban and include for example; fur coats, vintage fur, fur shawls, garments with fur trim, fur pompom hats, and fur accessories and trinkets.

- 1.2 Only twenty market operators have a 5-star rating, and they are all privately operated. The highest rating of any Local Authority-run market is 4 stars. CBC's 3 star rating is above average.
- 1.3 Including fur-products to the list of prohibited items as recommended at the review of Market Rules & Regulations in March would, at best, increase our online rating to 4 stars. However there is no guarantee the rating will change. Respect for Animals offer no guidelines for their rating system and analysis of the current ratings show inconsistencies with award and practice (see point 5). Therefore our recommended decision has changed.

2. Recommended Decision

- 2.1 To continue to prohibit the sale of real fur products using the existing rule 12.2. This enables Colchester Borough Council to support the campaign while maintaining flexibility for special events and themed markets.

3. Reason for Recommended Decision

- 3.1 The Market and Street Trading Manager has been working closely with traders, to make sure the regulations are fit for purpose. This means that both traders and the Council are clear about their responsibilities but are also protected. Using best practice from other Councils, feedback from traders and our existing operational guidance the Licencing Committee are now asked to ratify the decision.
- 3.2 The current stance works well and we have had no registered complaints or lobbying from the Colchester public to upgrade our current rating on the Respect for Animals site.
- 3.3 Since the campaign was launched in December 2017 there has been little coverage in National media and our stance on fur products presents a positive response in any case.
- 3.4 A table of responses from a cross-section of local authority managed markets, and their ratings, can be found in point 5.1. Neighbouring markets Ipswich, Chelmsford and Braintree are included, as well as recent Market of the Year Winners, Cambridge.

4. Alternative Options

- 4.1 Alternative options include:
- Adopting the policy amendment in full as petitioned by Respect for Animals in 1.1
 - Include fur products to list of prohibited items in 12.6 of Market Rules & Regulations
 - Additional amendments: Licensing Committee may suggest additional amendments for Officers to look at.

5. Responses from Markets and their ratings

- 5.1 Below is a table showing a cross-section of responses to question posed by Respect for Animals regarding whether the sale of fur products is permitted, and the ratings received:

Market Operator	Response	Rating
<ul style="list-style-type: none">• City of London	No – we do not allow the sale of fur products. However, we are unaware of any official policy documents or guidelines to enforce this. We understand the Council is in the process of drafting an Animal Welfare Charter.	2 stars

<ul style="list-style-type: none"> Stoke-on-Trent City Council 	We exert commodity restrictions on our stall holders but subject to the products being lawful and within their prescribed commodity line, we would not proactively prohibit them being stocked.	1 star
<ul style="list-style-type: none"> Ely Market 	We do NOT allow real fur to be sold on any of our markets or events throughout the year. We have had to enforce this in the past when we became aware that a trader was selling real fur pom-pom hats imported from China.	4 stars
<ul style="list-style-type: none"> Ipswich Borough Council 	Only approved goods which are listed in the Market Regulations are allowed to be sold on the market. Real fur goods are not on this list. Other occasional markets: The Council is not aware of any traders selling real fur products at the occasional markets, however this is not something which is specifically asked.	3 stars
<ul style="list-style-type: none"> Braintree District Council 	We have nothing listed to stop them [stall-holders selling fur-products]	0 stars
<ul style="list-style-type: none"> Cambridge City Council 	Yes, we do allow the sale of real-fur product	0 stars
<ul style="list-style-type: none"> London Borough of Camden 	We have no policies to cover this area so there are no restrictions placed by the council on these items, they are subject to any relevant laws that would be enforced by the police or trading standards as required.	0 stars
<ul style="list-style-type: none"> Aylesbury Vale District Council 	Examples of items that will not be permitted: -Items made from animals eg [sic] fur, ivory or bone.	4 stars

- 5.2 It should be noted that Camden operates over twenty markets, and while Camden Market is one of the few markets to have issued a press release regarding their adoption of a fur ban, they have a zero-rating from Respect for Animals based on the response from the local authority that manages them, rather than their actual practice.
- 5.3 There are inconsistencies in the rating system and Respect for Animals has not published any guidelines to help explain their ratings. Colchester and Ipswich do not permit the sale of fur on their markets and receive 3 stars. City of London does not permit the sale of fur on its markets and receives 2 stars. Ely Market does not permit the sale of fur on its markets and receives 4 stars.

6. Equality, Diversity and Human Rights implications

- 6.1 The EQIA for the Colchester Charter Market regulations can be found here:
<http://www.colchester.gov.uk/article/12744/Communities>

7. Strategic Plan References

7.1 The links to the [Strategic Plan 2018-21](#) are:

1. GROWTH: Help make sure Colchester is a welcoming place for all residents and visitors
2. GROWTH: Work with partners to create a shared vision for a vibrant town centre.
3. OPPORTUNITY: Promote and enhance Colchester borough's heritage and visitor attractions to increase visitor numbers and to support job creation
4. OPPORTUNITY: Help business to flourish by supporting infrastructure for start-up businesses and facilitating a Business Improvement District

8. Consultation

- 8.1 The Market and Street Trading Manager has been working with all Market Traders to consolidate their ideas to the suggested amendments.
- 8.2 NABMA (National Association of Market Authorities) – no directive offered though the topic may be considered at the annual conference in September.
- 8.3 Respect for Animals – data verified by the petitioners.

9. Publicity Considerations

- 9.1 We will make the Market and Street Trades aware of the revised regulations in writing and with a face to face discussion / hand delivered letter, where feasible. We will also upload an electronic copy to the Colchester website.
- 9.2 Market Traders are aware of the suggested amendments put forward.

10. Financial implications

- 10.1 No immediate financial implications to note. If total fur ban agreed then there would be a small impact on Vintage themed markets as it would prohibit traders offering second-hand fur-products.

11. Community Safety Implications

- 11.1 There are no specific Community Safety implications to note.

12. Health and Safety Implications

- 12.1 There are no specific Health and Safety implications to note.

13. Risk Management Implications

- 13.1 There are no specific Risk Management implications to note.

Appendices

Appendix One – Colchester Charter Market Regulations

Background Papers

None.