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ORAL EVIDENCE

Taken before the

UNOPPOSED BILL COMMITTEE

on the

NORWICH LIVESTOCK MARKET BILL [*LORDS*]

Wednesday 2 July 2025

Before:

The Chairman of Ways and Means (Ms Nusrat Ghani) (Chair)

Amanda Martin MP

Euan Stainbank MP

Peter Swallow MP

Chris Vince MP

**EMYR THOMAS**, of Sharpe Pritchard LLP, appeared as Parliamentary Agent.

**MARK FITZSIMMONS**, of Norwich City Council, appeared on behalf of the Promoter.

**JUSTIN LESLIE**, Counsel for Domestic Legislation, was in attendance.

**Exhibits referred to by the promoter during the hearing can be found [here](#).**



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Ordered at 12.5 pm: that Counsel and Parties be called in.

1. **CHAIR:** Good afternoon. My name is Nusrat Ghani; I am the Chairman of Ways and Means, and I will be chairing today's Unopposed Bill Committee. With me on the Committee are Amanda Martin, Euan Stainbank, Peter Swallow and Chris Vince.
2. We are here to consider the Norwich Livestock Market Bill, which was deposited in November 2024 and was received by the Commons in May 2025 after completing its progress through the House of Lords. The Promoter of the Bill, Norwich City Council, is represented here by Emyr Thomas of Sharpe Pritchard, the Parliamentary Agent for the Promoter, and Mark Fitzsimmons, the property project manager for the council.
3. We will first hear from Mr Thomas, who will make representations in support of the Bill on behalf of the Promoter. Members of the Committee may ask questions at any time. The Promoter's evidence bundle will be uploaded to the Parliament website after this sitting. Mr Thomas, the floor is yours.
4. **EMYR THOMAS:** Thank you very much, Chair. In brief, the Bill provides for the relocation of the Norwich livestock market to a new site inside or outside the boundary of the city of Norwich. The Bill also confers powers on the Promoter to enable it to operate the market at the new site. The market is one of the last trading markets in East Anglia, and the Promoter considers it vital to retain an operational market in the local area.
5. As you know, I propose to call just one witness today: Mr Fitzsimmons, who is the property project manager at the council and is the officer responsible for the promotion of the Bill. I understand that you have already received the bundle; we will look at a couple of the documents in it shortly.
6. We will do three things this afternoon. First, I will provide some background information on the market. Secondly, I will briefly touch on the consultation exercise that the council undertook in respect of the Bill last summer. Thirdly, I will go through each of the provisions of the Bill and explain why each of them is needed.
7. I will first give some background information on the market. The legislative background is this: by section 4(1) of the Norwich City Council Act 1984, the council is empowered to hold markets within the city, and by section 2(1) of that Act, "the city" means the city of Norwich, so the livestock market is such a market located within the city. By section 8 of the 1984 Act, the livestock market can be relocated, but that relocation can occur only within the city of Norwich.
8. The livestock market was relocated to its current site near Hall Road in the 1960s. Just to give you an idea, the market is shown in the red line in the aerial photograph that I am showing you. Detailed survey work carried out in 2022 concluded that extensive repair works are required to update the market facilities and ensure that the market continues to meet modern biosecurity and animal welfare standards.
9. The required works are listed in paragraph 3.1 of the note that Mr



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Fitzsimmons has prepared and are spread out over pages 3 and 4 of the bundle. I will touch on a few of them; I will not read them all out. They include “demolishing a former auction building and removing asbestos”, “removal of asbestos and re-roofing the current auction building”, “providing new electrical services to the current auction building”, “refurbishing the interiors of offices, café, and welfare facilities and creation of new accessible facilities” and “relaying parts of the existing concrete roadway and hardstanding for vehicles”. Other things also need to be carried out, and they are set out in Mr Fitzsimmons’s note.

10. In the light of these things, the Promoter considers that the facilities at the existing site are outdated and no longer fit for purpose. Estimates indicate that the repair liability would amount to more than £3 million, for which the council would be responsible.
11. In 2010, the council sold the 3.25-acre freehold site to the current freeholder and purchased a leasehold interest in the site, which has over 80 years left to run. The council has a proprietary arrangement with the freeholder for the purpose of providing the market. The council also has an arrangement in relation to the existing site with Norwich Livestock Market Ltd, which we will refer to as NLM. The arrangement allows NLM to operate the market from the existing site.
12. The current site is also subject to operational restrictions by virtue of the head lease with the freeholder, which restricts the number of market days that can take place per year and limits the market’s activities to the sale of sheep and cattle only.
13. Before 2010, the market, like similar ones in and around the UK, sold other animals, including pigs and fur and feathers, such as poultry, rabbits and birds, and provided for the sale and storage of plant and machinery. Over the years, the size of the market has also reduced from about 18 acres in the 1960s, when it included four auction houses, a lorry park and a pub, to the size it is today: 3.25 acres.
14. The extent of the required works, the need for additional parking and operational restrictions mean that further investment in the existing site would not deliver an economic return on public investment. That is one of the reasons why the Promoter proposes to move the market to a new site. As I said, there is a power to relocate the market within the city of Norwich. However, no financially viable sites within the city boundary have been found, despite an extensive search. The provisional business case indicates that a relocation of the market to a new site outside the boundary with lower land values could deliver a level of financial return that could justify further investment.
15. To justify these issues, the council’s proposal is to relocate the market to a new site outside the city boundary. The Bill does not promote any specific site, but clause 3 allows the council to relocate the market to a new site at any place outside or inside the city, subject to certain restrictions, to which we will come in a moment. There has been extensive consultation with members of the public, NLM, the NFU, users of the markets and other local authorities, and they overwhelmingly support a relocation of the market to a new site outside the city boundary.



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16. I will move on to the second topic, which is consultation. I will touch on this briefly, and if you have any detailed questions on consultation, Mr Fitzsimmons can respond to them.
17. The council undertook a public consultation between 18 July and 24 August 2024. That was in addition to a consultation exercise that Mr Fitzsimmons himself undertook when he took on his role at the market in 2022. The consultation received 354 responses. It will be noted from the pie chart on page 12 of the bundle—you can see it up on the screen now—that 73% of the responses supported the council’s proposal to secure a new Bill for the relocation of the market outside the city boundary, 16% were in opposition and 11% were unsure.
18. The reasons for supporting the proposals are set out on pages 12 and 13 of the bundle. They are organised into three categories: first, accessibility and transport; secondly, animal welfare and biosecurity; and, thirdly, economic and community benefits. I do not plan to go through them in any detail, but we can go through them if that would be helpful.
19. In summary, the responses to the consultation were overwhelmingly supportive. In addition to that consultation, there have been extensive discussions with NLM and the wider farming community, including the National Farmers Union. Each of them supports the Bill.
20. It should be noted that the Promoter considered alternative options for the relocation of the market within the city boundary, but the high land values and the proximity to existing commercial and residential uses mean that those options are neither feasible nor economic.
21. I now turn to the third point. I will provide a summary of the Bill’s provisions, explaining the need for each of them. As I mentioned, the Promoter’s power to hold the market is conferred by section 4 of the 1984 Act. Under section 8, the market can be relocated, but only within the city of Norwich. The Promoter therefore requires additional powers to relocate the market to a location outside the city of Norwich. The Bill provides for that relocation; the Bill is set out in tab 8 of the bundle, from page 70 onwards.
22. In the usual way, clauses 1 and 2 contain the citation and interpretation provisions.
23. Clause 3 would enable the council to relocate the market to any place outside or inside the city limits, subject to the conditions set out in subsections (2) and (3). Clause 3(2) provides—the map will help with this description—that the new site must be at least 5.5 acres in size, which is greater than the existing site, and must “provide a market facility equivalent to the existing site”. It must also be located either “within 16 miles of the existing site and within 3 miles by road of the A11, A47 or A140, or...within 1 mile by road of the A1270.” The map that you can now see on screen shows those restrictions in the hatched areas.
24. Taken together, the purpose of these provisions is to provide comfort to existing users that any new site will be of an appropriate size and in an accessible location. From the discussions that Mr Fitzsimmons has had with stakeholders, these points are key.



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25. Clause 3(3)(a) provides that the council cannot relocate the market “without first consulting the market traders...and any other person that appears to the Council to be likely to be affected by the proposed relocation.” This provision will enable the views of market traders to be heard. Clause 3(3)(b) provides that the market cannot be relocated without first ensuring that the new site is “laid out for the purposes of the Market and is available for use...ensuring continuity of the provision of the market facility”, so we will never be without a market. Clause 3(3)(c) ensures that market traders and others have at least 90 days’ notice of any relocation. Clause 3 is based on section 4 of the Hereford Markets Act 2003, which is also included in the bundle.
26. Clauses 4 and 5 confer powers to expand or reduce the size of the new site.
27. Clause 6 applies the provisions of part III of the Food Act 1984 to the new site. Part III of the Food Act contains a number of provisions relating to the operation of markets. Among other things, they include the power to appoint market days and hours and to make byelaws regulating the use of the market. These provisions already apply to the existing market, by virtue of section 5 of the Norwich City Council Act 1984. Clause 6(3) provides powers to develop a new site; in addition, it empowers the council to grant leases and licences.
28. Clause 7 provides a power for a person authorised by the council to “give directions as to the use of a new site by members of the public or as to the movement, stopping, parking or placing for loading or unloading of any vehicle at a new site”. Subsection (2) provides that a fine not exceeding level 3 on the standard scale, which is £1,000, may on summary conviction be issued to any person who fails without reasonable excuse to comply with such a direction.
29. Clause 8 provides a power to issue fixed penalty notices for committing an offence under clause 7, or for a breach of any byelaws made under the Food Act 1984. Under section 60 of the Food Act, byelaws made under the Act may provide for “regulating the use of the market place, and the buildings” within it, “preventing nuisances or obstructions in the market place...regulating porters and carriers” in the market and “after consulting the fire and rescue authority...preventing the spread of fires in the market.”
30. Clause 8(3) to (5) sets out the requirements as to the content and method of service of a fixed penalty notice. Subsection (6) provides that no proceedings may be taken within 14 days of a notice being issued and that the person cannot be convicted of an offence if the penalty is paid within that period. Subsection (7) provides that the amount of fixed penalty is to be prescribed by the council, but it may not exceed level 1 on the standard scale, which is £200.
31. The council considers that the powers in clauses 7 and 8 are necessary to ensure that there are controls over the use of the market facilities, to enable the market to operate effectively. Without these provisions, the council would not be able to control the movement of members of the public or vehicles at the new site. This would obviously impede the safe and efficient functioning of the market.



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32. Clause 9 enables an authorised person—that would include a constable or a person authorised by the council—to require a person suspected of committing an offence under clause 8, or of acting in breach of byelaws made under the Food Act, to give their name and address so that enforcement action may be taken against that person.
33. Finally, clause 10 provides for the application of the 1984 Act to the provisions of the Bill and disapplies sections 4 and 8 of the same Act, to ensure that the provisions of the Bill can effectively provide for the relocation of the market, which currently can occur only within the city boundary. The clause ensures that a relocation undertaken under this Bill is not treated as a relocation for the purposes of the 1984 Act.
34. Thank you for your attention. Mr Fitzsimmons and I would be delighted to assist with any questions you may have.
35. **CHAIR:** Thank you so much for your representation. It was incredibly thorough, and we have quite a lot of papers in front of us as well. Mr Fitzsimmons, do you have anything to add, or shall I allow my colleagues to ask questions?
36. **MARK FITZSIMMONS:** Please ask any questions.
37. **CHAIR:** Marvellous. I will come to Mr Vince first.
38. **CHRIS VINCE:** Thank you for your very detailed contribution. I apologise, but I used to be a maths teacher, so I am really interested in how you came up with the locus of points for the location of the market. You have gone for 16 km—is that correct?
39. **MARK FITZSIMMONS:** Miles.
40. **CHRIS VINCE:** Sixteen miles, sorry. I note that there are 3 miles between the major roads there, which makes sense, and obviously slightly less for what is more of a minor road, I assume. I just wondered about the rationale behind that decision.
41. As a maths teacher, I was also very interested in your consultation question. It was very unbiased, which is great, but I just wonder: have you done further consultation with traders with regard to that 16-mile distance?
42. **MARK FITZSIMMONS:** Good afternoon, Chair and members. I have been on this project for over three years now. I attend the market every week or every two weeks, when it is appearing, and for three years I have spoken to farmers. There has been extensive consultation, and when we came to the parameters for relocating the market, the market operator, the market users and the NFU were really adamant that this is Norwich livestock market and what they did not want was to put it too far away from the city. There has been a market charter in existence since the 14th century, linking the city with its livestock market.
43. It was the actual user groups who were adamant that they did not want the market to move too far away from its historical home. This was the source of lots of debate, because of course what we are trying to do is maximise the opportunity, or the search area, to find something that is suitable. Trying to relocate a livestock market comes with many challenges. It is not a user





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that residential and even commercial occupiers necessarily want to be next to. We have to consider the public purse and land values, accessibility and so on, so this was the result of many months of consultation and discussion.

44. **CHAIR:** Mr Vince, are you satisfied with that answer?
45. **CHRIS VINCE:** Yes.
46. **CHAIR:** Are there any questions from the rest of the Committee? I call Mr Stainbank.
47. **EUAN STAINBANK:** Thank you, Chair. Clauses 7 to 9 include offences and powers to impose penalties in relation to certain activities at the new market, as was explained. Are there equivalent offences or powers in respect of the current site?
48. **EMYR THOMAS:** The best thing to do is probably to go through each in turn.
49. In clause 7, there are powers to direct under the Norwich City Council Act 1984. It is drafted in a slightly different way, using more modern drafting. In addition, clause 8 allows us to apply the provisions of the byelaws made under the Food Act 1984. As I mentioned, that provision is in the precedent legislation—the 1984 Act—so the council has done that.
50. In addition, what the council has done—I think Mr Fitzsimmons can elaborate on this if necessary—is exercise its powers under the Road Traffic Regulation Act 1984 to make traffic regulation orders in respect of the site. The reason why that particular power is needed is that, as we can see if we look at the hatching shown on screen, it falls outside the administrative area. We are potentially in the administrative area of either Breckland Council, Broadland Council or South Norfolk Council, while always being within Norfolk County Council's highway authority.
51. Norwich City Council wants to be a good neighbour in providing these bespoke provisions, so that it does not have to call upon enforcement from outside its area. Let us say that it ends up in Broadland: it does not want to cause the Broadland team to come and deal with problems that it is bringing. It will deal with them itself. Another reason for that is that the team at Norwich are used to dealing with issues at the market, so it makes sense for the existing regime to be replicated, albeit with updated drafting, in the new site.
52. **EUAN STAINBANK:** Thank you very much. That satisfies my inquiry.
53. **CHAIR:** Mr Swallow, have you any questions?
54. **PETER SWALLOW:** No.
55. **CHAIR:** Ms Martin, have you any questions?
56. **AMANDA MARTIN:** No.
57. **CHAIR:** Could you just add some texture on what the market space could be used for, other than livestock?
58. **MARK FITZSIMMONS:** Yes, of course. The current site is a product of the 1960s. Back in the day, there were a variety of uses of the land, which unfortunately has constricted to the current 3.25 acres. The new site gives



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an opportunity, in a similar way to other markets around the country, to attract complementary and ancillary businesses. I have done a number of visits around the country to markets where you find similar complementary businesses such as vets, rural agents, warehousing, selling wholesale goods to the farming community and so on.

59. We must be very conscious that this is public expenditure and that we have to maximise the financial return on behalf of the public purse. This is an opportunity to develop an agricultural rural hub. It reflects Norwich market's status as one of the last markets left in East Anglia—the last but one. There is a real opportunity here. I am talking to the NHS and the county council about their interest in having a rural health and mental wellbeing hub, similar to what other markets have around the country, so that health professionals can come in on market days and have access to a quite often remote cohort of workers.
60. This gives us an opportunity to really take stock and develop the market in a number of ways that are complementary to the market and ancillary businesses.
61. **CHAIR:** Very progressive. The Committee has no further questions at this point. May I ask you to leave the room while we deliberate in private?

The Committee deliberated in private from 12.29 pm to 12.30 pm.

62. **CHAIR:** Mr Thomas and Mr Fitzsimmons, thank you for your patience while we considered what we have heard this afternoon. We have agreed that we are content for the Bill to proceed. I therefore invite Mr Fitzsimmons to prove the preamble.

MARK FITZSIMMONS, Sworn previously

Examined by EMYR THOMAS

63. **EMYR THOMAS:** Are you Mark Fitzsimmons?  
**(Mark Fitzsimmons):** I am.
64. **EMYR THOMAS:** Are you the property project manager in the property and economic development department of Norwich City Council?  
**(Mark Fitzsimmons):** I am.
65. **EMYR THOMAS:** Do you hold responsibility for the promotion of the Norwich Livestock Market Bill on behalf of Norwich City Council, who are its Promoters?  
**(Mark Fitzsimmons):** I do.
66. **EMYR THOMAS:** Have you read the preamble to the Bill?





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**(Mark Fitzsimmons):** I have.

67. **EMYR THOMAS:** Is it true?

**(Mark Fitzsimmons):** Yes.

The witness withdrew.

68. **CHAIR:** Thank you. That concludes our business.

The Committee adjourned at 12.31 pm.