

CABINET

2nd JULY 2014

BROMSGROVE MARKET – TERMS AND CONDITIONS AND NEW STALLS

Relevant Portfolio Holder	Councillor Rita Dent
Portfolio Holder Consulted	Yes
Relevant Head of Service	Kevin Dicks
Wards Affected	St Johns
Ward Councillor Consulted	Yes
Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 To introduce new terms and conditions for market traders on the Bromsgrove High Street Market
- 1.2 To purchase new market stalls and ancillary equipment to replace worn out stalls, to improve the appearance of the market and to suit the reconstructed High Street
- 1.3 These proposals will enable the appearance and general quality of the Bromsgrove's High Street Market to be lifted and to equip Bromsgrove with the capacity to put on a rolling programme of speciality market events:

2. RECOMMENDATIONS

- 2.1 That Cabinet resolve the introduction of new terms and conditions for market traders on Bromsgrove High Street.
- 2.2 That Cabinet recommend to Council ;To include the purchase of replacement market stalls in the 2014/15 Capital Programme of £60k to be funded £4.2k from reserves and £56k from balances.

3. KEY ISSUES

Financial Implications

- 3.1 Bromsgrove currently has around 16 market traders at its Friday and Saturday markets, with 11 trading on a Tuesday. There are more than 16 traders in total with a different mix of traders on different days.
- 3.2 On the basis of 3.1 the market generates annual revenue of approximately £60k
- 3.3 The number of stalls which will be accommodated for the current weekly street market along the High Street once reconstruction is complete is 33 individual stalls, which are orientated to provide for the

16 traders. All of the pitches in the new High Street have been successfully allocated with only a couple of small additional pitches currently available.

- 3.4 A new dedicated area, where the High Street is at its widest at the North end outside Argos, has been created to accept a further 14 market stalls which can provide for up to 14 additional traders.
- 3.5 This area is suitable for expansion in the existing Street Market and in particular the running of additional speciality markets as events. These might include Farmers Markets, Food Festivals, Craft Fairs, Flea Markets, Antique Fairs etc. Programmes of speciality markets in other Worcestershire towns such as Malvern are instrumental to boosting footfall.
- 3.6 Both of these options give the opportunity to increase the £60k pa currently received from 16 active traders at any one time by adding up to another 14 traders.
- 3.7 In order to equip the existing street market and the speciality market area with new stalls, canopies and ancillary equipment a capital expenditure budget of £60k is required, of which £4.2k is currently held in reserves.
- 3.8 The new equipment will have a life expectancy of 10 years. It is anticipated that further income will be generated from the additional market stalls which will be used to provide a replacement reserve for the future.
- 3.9 There is no cost impact of adopting the new market terms and conditions.

Legal Implications

- 3.10 When the market was located to the High Street from the Market Hall new terms and conditions were drawn up for traders. However, the Council did not at that stage adopt a comprehensive policy for the market or set any strict conditions in relation to the appearance and lay out of the market.
- 3.11 The adoption of new market terms and conditions which are attached in Appendix One of this Report will require each trader to sign a new agreement with the Council.
- 3.12 The traders have been consulted upon the proposed new terms and conditions and have widely welcomed them.

- 3.13 The new terms and conditions have been drawn up in association with North Worcestershire Economic Development and Regeneration (NWEDR) and the management of new terms and conditions will need to be reflected in the service level agreement between Bromsgrove District Council and NWEDR.

Service / Operational Implications

- 3.14 The first references to rights being granted to hold a market in Bromsgrove date back to before 1250. The Street Market remains integral to achieving a vibrant and popular High Street destination. The importance of well-run attractive Street Markets to Town Centres has been widely advocated as part of the Portas led review into the future of High Streets in response to competition from the internet and out-of-town destinations.
- 3.15 The absence of a comprehensive policy for the market and the physical layout of the High Street prior to the new street works being carried out contributed to the market previously looking slightly disorganised with no pattern or uniformity to the positioning of the stalls, and some traders spreading goods across the highway.
- 3.16 The newly reconstructed High Street provides dedicated market zones complete with dedicated power supplies. These have been designed to allow for unfettered access along the High Street on Market Days as well as to maintain lines of sight for pedestrians and CCTV alike. They have been positioned to minimise the impact on shop fronts while being sized to ensure that adequate pavement and carriageway width is maintained. Many of the existing stalls are too wide to allow this.
- 3.17 The adoption of new terms and conditions for Market Traders will give the Market Management greater influence over the day to day operation of the Market. These have been drawn up with North Worcestershire Economic Development and Regeneration Team based in Wyre Forest, who currently run the Market on behalf of Bromsgrove District Council. They have been consulted upon with the Market Traders, who have widely welcomed them.
- 3.18 The new Terms and Conditions make it easier to start trading on the market, yet recognise and reward long standing permanent traders. They increase the controls on the way stalls are used and presented. Trading from vehicles and traders will no longer be permitted along the High Street.
- 3.19 The purchase of new specially designed Market Stalls together with the refurbishment of some of the existing market stalls (including a

reduction in size to suit the width of the High Street) will enable them to be set out in pairs as shown in Appendix 2. The stalls will:

- Be more uniform in appearance
- Use the Corporate Colours of Green and White and bear the Council Crest and Better Bromsgrove Motive
- Be open to trading on 3 sides (orientated back to back). The adjoining wall between stalls and weather shields to be based on a design for information stalls in the Olympic Park incorporating large clear windows to ensure shop windows are visible to shoppers.
- Incorporate skirts and table cloths to ensure a neat and attractive appearance
- Be predominantly of the 'pop-up' marquee style as widely adopted in other towns, to minimise labour costs in the set up and dismantling of the market.
- Utilise fixings set in the paving rather than weights to ensure that the correct location of the market stall is always achieved, to reduce the time, cost and risk of manual lifting of heavy weights (used to anchor the stalls currently), to help prevent 'creep' in the curtilage of the stall by the trader and to reduce wear and tear on the stalls.
- Allow for sufficient capacity for expansion of the market and/or a new programme of speciality markets by adding 14 new pitches in addition to the stalls for the existing street market.
- Allow for suitable stalls as an option for those currently trading from vehicles.

Customer / Equalities and Diversity Implications

- 3.20 Extensive public consultation during the design phase of the new public realm for Bromsgrove High Street, especially in respect of a detailed Equality Impact Assessment, raised serious issues regarding ease of movement, safety of movement and equality of access.
- 3.21 Previously the street market has been a collection of stalls of varying styles and designs with many in a poor state of repair. They used opaque canopies and were placed where the old uneven surface and street furniture allowed. As a result the market prevented unfettered movement along the High Street, made it difficult for emergency vehicles, prevented access for those using mobility equipment in certain places, created problems for the safe passage of those with visual impairment, blocked line of sight and impeded CCTV coverage.

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- 3.22 All of these issues are in conflict with the requirements of equality of access, ease of movement and public safety which have driven the design of the reconstructed High Street.
- 3.23 The design principles put in place to address these issues have been successfully implemented in many towns and cities and form part of the District Plan (which has incorporated the Town Centre Area Action Plan). They include the use of linear zones, with complementary ambient lighting.
- 3.24 Each zone is visually recognisable as a distinct area that contrast (with tactile differences too) and have clearly marked boundaries to help with the navigation and accessibility of the area to include clearly defining pedestrian, market and street café areas. This is particularly important for the visually impaired and those accessing the high street using mobility equipment.
- 3.25 The new stalls are designed to be of a size to suit the width of the High Street and are not closed and opaque, to maintain lines of sight. The intention is to combine their arrival with the introduction of new terms and conditions that help to manage the unauthorised spread of stalls and placing of goods on the Highway. Together these measures are essential to satisfying the Impact Equality Assessment and the principle of easy safe and equitable access to and along the High Street for all.

4. RISK MANAGEMENT

- 4.1 The risk of the market traders not accepting the new terms and conditions has been mitigated by extensive benchmarking of the operation of other markets and consultation with the traders themselves.
- 4.2 The risk of failing to comply with the duty to provide equality of access and of the market contributing negatively to public safety issues will be mitigated by the introduction of new more suitable stalls in the new layout.

5. APPENDICES

Appendix 1 – New Market Terms and Conditions
Appendix 2 - Drawing of Proposed New Stalls

6. BACKGROUND PAPERS

Equality Impact Assessment

7. KEY

BROMSGROVE DISTRICT COUNCIL

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