

**Lancaster Market
31 March 2010**

Report of Cabinet

PURPOSE OF REPORT

This is a referral report from Cabinet. It presents the findings of the Cabinet Working Group, established by a resolution of full Council on 3 March 2010, to consider the future of Lancaster Market.

This report is public, with the exception of Appendices A, B, C and D to Appendix 1, which are exempt from publication by virtue of paragraph 3, of Schedule 12a of the Local Government Act 1972.

RECOMMENDATIONS

- (1) That Council consider and make a decision on the options for the future of Lancaster Market, set out in the report presented to Cabinet on 23 March 2010 (Appendix 1).

1.0 Introduction

- 1.1 The budget report at the Council meeting on 3 March 2010 included reference to Lancaster Market. Following this, and a representation on behalf of the Lancaster Market Tenants' Association, Council resolved that:-

- (a) Council desires a thriving indoor market in Lancaster, and wishes to allow Cabinet to carefully consider this issue in the context of the recent proposal from the Market traders and involve those who wish to make a contribution, enabling all alternatives to be tested before being brought for debate at full Council.
- (b) Council therefore defers its decision on Lancaster Market and refers it back to Cabinet for urgent decision.
- (c) A working group of Cabinet Members nominated by the Leader and reporting to Cabinet, be established to consider all the options available on the market and the business plan from the Market traders. (Options should be assessed in terms of risk to the Council, sustainability, protecting local businesses and value for money for the taxpayer. Cabinet Members should consider the business plan from the existing Market traders, the alternative of a single storey market, alternative market sites and the single trader option. The working group should be requested to invite evidence from existing market traders, the

National Federation of Market Traders, National Association of British Market Authorities and the Chamber of Commerce.) Cabinet should make a report and recommendations to a Special Council Meeting before the 31 March 2010.

2.0 Proposal Details

2.1 Following the Council meeting on 3 March 2010, an informal Cabinet Working Group was established and met on four occasions to gather information and consult with various relevant stakeholders, groups and organisations as detailed in the report to Cabinet.

2.2 A report was then drafted and presented to Cabinet at its reconvened meeting on 23 March 2010. Cabinet Members resolved:-

- (1) That the report be referred to full Council on 31st March 2010 for consideration and decision.

The report is therefore attached for full Council's consideration and decision (Appendix 1).

2.3 Members should note that Section 3.6 of the attached report advises that the earlier report to Cabinet on 16 February had identified that the company was a new company. The Section indicates that Cabinet were informed of the rating score, but this was by implication rather than being explicit. Mindful of the risks associated with dealing with such a newly established company and the need to demonstrate due diligence, the February Cabinet report highlighted various steps that have been taken to mitigate risk. The attached report to Cabinet does make it clear that company searches identify a rating score of one out of a hundred and this would be expected of a new company.

3.0 Details of Consultation

3.1 Details of consultation are provided in the attached report to Cabinet.

4.0 Options and Options Analysis (including risk assessment)

4.1 The options and options analysis are as shown in the attached report to Cabinet (Appendix 1).

CONCLUSION OF IMPACT ASSESSMENT (including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

As shown in the attached report to Cabinet (Appendix 1).

FINANCIAL IMPLICATIONS

In addition to the financial implications as set out in the attached report to Cabinet (Appendix 1), Members should note that Option 3, and the variation to Options 1 and 2 referred to under Officer Advice (section 4) of the attached Cabinet report, make reference to additional costs provisionally estimated at £150K. Should Members approve either of these options, these costs would need to be met from the Capital Support Reserve - no other alternative sources have been identified at this time. This would leave an estimated £350K unallocated within that reserve; subsequently the financial implications and funding arrangements of

completing any option would need to be reviewed and reported back to Members for further consideration, once detailed costing work etc. had been undertaken.

DEPUTY SECTION 151 OFFICER'S COMMENTS

As shown on the attached report to Cabinet (Appendix 1).

LEGAL IMPLICATIONS

As shown on the attached report to Cabinet (Appendix 1).

MONITORING OFFICER'S COMMENTS

As shown on the attached report to Cabinet (Appendix 1).

BACKGROUND PAPERS

Cabinet and Council minutes referred to in Appendix 1.

Additional papers exempt by virtue of Paragraph 3 of Schedule 12A of the Local Government Act 1972.

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