

# CABINET

## Charter Market, Lancaster 18<sup>th</sup> March 2008

### Report of Corporate Director (Finance & Performance)

PURPOSE OF REPORT			
To update Members on the operation of the Charter Market and consider any opportunities for improving the market.			
Key Decision	<input type="checkbox"/>	Non-Key Decision	Referral from Cabinet Member
Date Included in Forward Plan	N/A		
This report is public			

#### RECOMMENDATION OF COUNCILLOR ARCHER

- (1) Cabinet is asked to note the current position with the Charter Market and provide guidance on the future direction of the Market.

#### 1.0 Introduction

1.1 The Charter Market in Lancaster currently operates in Market Square, Market Street and Cheapside with a single stall in Church Street – at the junction with Cheapside.

1.2 The Committee last considered an update on the Market in January 2006 at which point it was resolved:

“That the sale of hot food, and seasonal cold foods, be allowed from the Charter Market, subject to there being no more than one *of each* type of food from the market at any time, *except on themed market days*, and that in this respect, the sales of food under street trading concessions also be considered as part of the total types of products sold.”

1.3 Since the last meeting of the Committee the market has expanded considerably and this report sets out some further information for members to consider in terms of the operation of the market. It is based on comments and complaints that have been raised from a variety of sources including traders, market managers, city centre retailers etc.

## 2.0 Proposal Details

2.1 The Charter Market has now expanded to such an extent that there are currently on average, 32 stalls on Wednesday and 40 on Saturday. It peaked just before Christmas with 40 and 44 respectively There is a variety of stalls which include:

- Fruit and Vegetables,
- Crepes,
- Organic Vegetables,
- Home made Cakes,
- Fruit Pies, Scones,
- Indian and Chinese cuisine,
- French Bread, Donuts,
- Sweets and Chocolates,
- Organic Pork Products,
- Hot Pork Sandwiches,
- Pork, Lamb and Beef locally produced,
- Fish,
- Cheese,
- Home made Jams and Chutneys.
- Soup and Bread Rolls.
- Shoe Stall.
- Ladies Fashions,
- Tools and Hardware,
- Hand made Pottery,
- Hand made Pottery,
- Toys and Gifts,
- Bedding,
- Men's Underwear and Hosiery,
- Pet Foods and Accessories,
- Plastic Storage Boxes,
- Computer Accessories,
- Cards and Stationery,
- Books,
- Pine Furniture,
- Fair Trade Goods,
- Army Surplus Wear, Camping and Outdoor equipment,
- Fishing Tackle,

2.2 The introduction of hot food retailers has had a very beneficial impact on the success of the street market. We now have 1 Indian Cuisine, 1 Chinese Cuisine, 1 Hot Crepe, 1 Donut, 1 Soup and Bread Roll and 1 Hot Pork Sandwich stall on most Wednesdays and Saturdays. In addition, there are also street trading concessions that operate totally separately from the market, and those include a hot potato stall and one that sells mainly burgers and similar products. The majority of market stalls are sited in Market Square with the Donut retailer on Horseshoe Corner. The two street trading concessions are at Horseshoe Corner and on Cheapside. At the moment the back portion of Market Square is unlettable because of the position of the fountain. It creates a barrier to any stall sited there and the market managers struggle to get traders to commit to this location. It is also felt that it would not be beneficial either to the street market or the independent food retailers in the area, to increase the number of hot food stalls in Market Square, as this would be detrimental to their profitability.

- 2.3 The Environmental Health Service is satisfied that all food retailers are complying with current regulations. We notify them as a matter of course whenever a new food retailer comes onto the market and they arrange an inspection of their facilities. They have indicated that it is their responsibility to police food hygiene, but not to undertake market management.
- 2.4 At present, there are a limited number of high street shops that take space on the market. In terms of food, currently the Indian and Chinese cuisine stalls comes under this category. Millets on Cheapside regularly hire the space in front of their shop to promote tents and camping equipment. All these help to enrich the diversity of Lancaster's Market. It also helps to gender greater harmony between the street market and the independent retailers in the locality. **Cabinet are asked to confirm that this process should continue.**
- 2.5 The size of stalls is determined in order to fit into available spaces, without causing obstructions to doorways, display windows etc of independent retailers. There are no issues relating to specific stall sizes, just the number of stalls we now have and the space available to us. Flexibility on stall sizes is key to locating stalls.
- 2.6 The stalls are a mix of pop-up shelter, conventional steel market stalls, market umbrellas, gazebos and a small number of uncovered table top types. The market managers are actively trying to encourage stallholders to invest in the pop-up shelters and are considering whether it should become a condition before being allowed to stand on the Market. A proposal that some of the additional revenue be used to subsidise the cost of pop-up shelters was refused by Cabinet when considering the carry forwards/slippage earlier this financial year. The proposal envisaged that the cost would be repaid by the stallholder over a period of time. This proposal would standardise and enhance the appearance of the street market, giving a similar appearance to the continental market which visited Lancaster and which did receive much good comment. **Cabinet are asked whether they would wish to see funding made available for contributing towards the provision of shelters in appropriate circumstances.**
- 2.7 Trade refuse has occasionally been the cause of concern. Whilst there have been reports of refuse on the streets, not all reports received are related to the market. Currently only a small number of street traders purchase either trade refuse sacks or stickers and many remove their own waste. The Market staff are considering ways of arranging for all street waste to be collected at the end of the day and the cost potentially factored into the rents.
- 2.8 Expansion space for the market is now a concern due to the number of traders attending the market. Church Street is still a consideration, but because of the lack of footfall on that street, it is difficult to get traders to commit to this area. Market staff are considering ways to encourage traders to locate on Church Street before being considered for prime locations.
- 2.9 The market has hosted a number of visits from continental markets in the last few years. For two years this has involved visits at one of the spring bank holiday weekends and a visit during the Christmas season. From a market perspective there have been many benefits in that it has provided a comparison for the local traders to learn from and the result has been a much improved look of the market in recent months.
- 2.10 Unfortunately, the current operators of the continental market have indicated that they will no longer be visiting Lancaster. A number of reasons were cited including

the current state of the retail economy, the weather and differences that have arisen with a number of local traders. This does give the opportunity to consider what alternatives are available to provide an attraction to the market during the year, and discussions are taking place with other operators to see whether they have availability at this late stage of preparing for the coming season.

- 2.11 Rental income for 2007/08 could be in excess of £50,000, which is a substantial increase over previous years. The numbers of traders has not fallen significantly in the period since Christmas which provides an indication of the success and stability of the market.
- 2.12 Traders occupy their stalls on the basis of Regular and Casual traders' licences. A regular trader is allocated a permanent pitch but must commit to attending every week and pays for the pitch whether trading or not. Casual traders do not have to commit and are allocated pitches on the day from whatever is available. All traders are issued with a copy of the market rules and must sign acceptance before being allowed to trade.
- 2.13 Currently a small number of stallholders use generators to power refrigeration units, lights etc either as a necessary part of health and hygiene regulations or to enhance the appearance of their stalls. It is done very successfully by our Continental colleagues. There is currently provision for power in Market Square and whilst it would increase risk assessment issues and workload, it would be beneficial to have control of the supply in order to provide food retailers with a power supply that does not assault the ears. However the supply and the bollard have not been tested for many years and there is a need to undertake a number of checks upon it before it could be used. This would however only be helpful to a small number of traders in the immediate vicinity of the market. **Cabinet are asked to consider whether funding should be made available for the provision of a number of separate supplies around the market that would serve a wider number of traders.**
- 2.14 There is also an issue of traders' vehicles being on the pedestrianised streets within the core period. The starting time for the market is not an issue in that all traders should be ready for trading long before the core period starts. However, in the late afternoon during the winter months, the market closes before it gets dark to ensure that stalls are dismantled safely. The market rules reflect this with the market closing at 3.30 p.m. which is before the core time ends. The County Council are considering implementing a new Traffic Order which would effectively prevent traders from closing the market at that time and an objection has been submitted to the Order following approval from the Council (Individual Member Decision). There has been no further information from the County Council on this matter for many months, but if a view was taken to proceed with the Order via Lancashire Locals, this could have serious consequences for the market with the loss of traders during the winter period or on a permanent basis. **Cabinet are asked to confirm the Individual Member Decision on this matter and advise the County Council of their views prior to the matter being considered by Lancashire Locals.**
- 2.15 There are still a number of issues which need to be addressed:
- The late or non arrival of regular traders.
  - The potential for a rent review,
  - the calculation of rent (currently per linear foot)

### **3.0 Details of Consultation**

3.1 There has been no specific consultation on the content of this report and it would be appropriate to discuss the outcome with traders' representatives.

### **4.0 Options and Options Analysis (including risk assessment)**

4.1 There are no specific options recommendations set out in this report as the report is seeking to update members on the current position with the Charter Market and looking for Members' guidance on the future direction of the Market.

### **5.0 Officer Preferred Option (and comments)**

5.1 There are no preferred officer recommendations

#### **RELATIONSHIP TO POLICY FRAMEWORK**

There are no specific links to the Policy framework.

#### **CONCLUSION OF IMPACT ASSESSMENT**

**(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)**

There are no specific impact assessments arising from this report.

#### **FINANCIAL IMPLICATIONS**

The Charter Market income budget has been increased from £28,000 to £36,000 on a recurring basis as part of the 2008/09 Budget Process. It should be noted that the actual income received for 2007/08 as at 31<sup>st</sup> January 2008 is already £43,000.

It is not possible to provide full financial implications for the future of the Market at this stage however, as this will be subject to the outcome of decision(s) recommended by Members at this meeting and whether these result in any additional costs for the Council. Also, If the situation arises whereby County implement the proposed Traffic Regulation Order as set out in section 2.14 of this report, then this may result in a reduction of traders leading to reduced income, which will require careful monitoring through the corporate Performance Review Team (PRT) Process.

Once Members have indicated their preferred option(s) further work can be undertaken and reported back as appropriate.

#### **SECTION 151 OFFICER'S COMMENTS**

The Section 151 Officer has been consulted and has no further comments to add.

**LEGAL IMPLICATIONS**

There are no legal implications directly arising from this report.

**MONITORING OFFICER'S COMMENTS**

The Monitoring Officer has been consulted and has no further comments.

**BACKGROUND PAPERS**

Previous Market Committee items and  
Minutes January 2006

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