

CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

27th JUNE 2017

**REPORT OF SENIOR
MANAGEMENT TEAM**

CABINET DECISION

Regeneration and Transport – Lead Cabinet Member – Councillor Nigel Cooke

STOCKTON-ON-TEES MARKET REGULATIONS AND QUALITY STANDARDS

1. Summary

This Report details the Market Regulations and Quality Standards that have been produced following the successful regeneration of Stockton Town Centre and the subsequent relocation of Stockton Market to the South of the High Street.

2. Recommendations

1. Cabinet approve the Market Regulations and Quality Standards.

3. Reasons for the Recommendation(s)/Decision(s)

In approving the Market Regulations and Quality standard the Council is able to ensure the layout and appearance of the Market is managed in line with the Council's expectations for the overall management of the High Street, and, in cases where the Markets are operating in privately owned areas at Billingham and Thornaby, that the Council is able to provide a consistent management approach across the Borough.

4. Members' Interests

Members (including co-opted Members) should consider whether they have a personal interest in any item, as defined in **paragraphs 9 and 11** of the Council's code of conduct and, if so, declare the existence and nature of that interest in accordance with and/or taking account of **paragraphs 12 - 17** of the code.

Where a Member regards him/herself as having a personal interest, as described in **paragraph 16** of the code, in any business of the Council he/she must then, **in accordance with paragraph 18** of the code, consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest and the business:-

- affects the members financial position or the financial position of a person or body described in **paragraph 17** of the code, or
- relates to the determining of any approval, consent, licence, permission or registration in relation to the member or any person or body described in **paragraph 17** of the code.

A Member with a personal interest, as described in **paragraph 18** of the code, may attend the meeting but must not take part in the consideration and voting upon the relevant item of business. However, a member with such an interest may make representations, answer questions or give evidence relating to that business before the business is considered or voted on, provided the public are also allowed to attend the meeting for the same purpose whether under a statutory right or otherwise (**paragraph 19** of the code)

Members may participate in any discussion and vote on a matter in which they have an interest, as described in **paragraph 18** of the code, where that interest relates to functions of the Council detailed in **paragraph 20** of the code.

Disclosable Pecuniary Interests

It is a criminal offence for a member to participate in any discussion or vote on a matter in which he/she has a disclosable pecuniary interest (and where an appropriate dispensation has not been granted) **paragraph 21** of the code.

Members are required to comply with any procedural rule adopted by the Council which requires a member to leave the meeting room whilst the meeting is discussing a matter in which that member has a disclosable pecuniary interest (**paragraph 22** of the code)

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SUMMARY

This Report details the Market Regulations and Quality Standards that have been produced following the successful regeneration of Stockton Town Centre and the subsequent relocation of Stockton Market to the South of the High Street.

RECOMMENDATIONS

- 1 Cabinet approve the Market Regulations and Quality Standards.

DETAIL

1. A significant effort has been made to work with traders to cement their location in the newly developed High Street which has seen the addition of new blue and white canopies for all those who trade on the market, as well as a range of local events and initiatives aimed at increasing the profile of the market. Similarly, staff have worked closely with traders from Billingham and Thornaby markets and it is positive to note that there has been an increase in stall allocations on both sites; Thornaby now has double the amount of stalls that it had three years ago and Billingham is also operating at full capacity.
2. Following the completion of Stockton High Street regeneration, it was felt that it was timely to review the previous 'Open Market Regulations 2009' as it was clear that the guidance for traders was lacking in detail, specifically in relation to the standards that we would expect to see in relation to the size, location and appearance of stalls, specific reference to the quality and type of items that should be traded from our markets as well as basic expectations placed on traders on acceptable conduct when communicating with customers.
3. Prior to any review, it was felt that a 'health-check' by an independent professional body to ensure that any revisions were in line with and considered national best practice. Therefore, the Association of British Market Authorities (NABMA) were appointed in 2012 to undertake a thorough assessment of the regulations; it was NABMA's review and recommendation report completed in May 2013, which led to the creation of revised Market Regulations and Quality Standards.
4. The revised Market Regulations and Quality Standards have been produced to ensure that the Council has appropriate, clear and transparent standards in place which all traders are expected to adhere to, which also includes a Scoring Matrix which is reviewed on an annual basis which ensures that traders are adhering to those standards contained within the Regulations.

5. The Regulations were drafted and a 28 day consultation exercise with all traders was held in February 2014 with 3 drop in sessions held at the Rediscover Stockton shop in the High Street, as well as a Market Traders Meeting where the consultation process was discussed. All comments were considered and appropriate feedback issued to those consultees who had submitted views.
6. Following the final revisions, all traders were presented with the newly agreed Market Regulations and Quality Standards document across Billingham, Thornaby and Stockton Markets. It is proposed that officers have delegated authority to deal with any transitional arrangements associated with transfer of pitches following the adoption of the new regulations and quality standards. To date all traders have now signed their new Market Traders licence.

COMMUNITY IMPACT IMPLICATIONS

7. As this report is not making any changes to policy or service delivery it has not been deemed necessary to undertake an Equality Impact Assessment.

FINANCIAL IMPLICATIONS

8. The adoption and implementation of the Market Regulations and Quality standards will ensure financial benefits in terms of a sustainable and quality market offer.

LEGAL IMPLICATIONS

9. Any person aggrieved by the introduction of the Market Regulations and Quality Standards could pursue a challenge by way of Judicial Review or by complaint to the Local Government Ombudsman. A person aggrieved would be required to demonstrate that the adoption of the Market Regulations and Quality Standards was unreasonable or that there had been maladministration in their adoption. Legal Officers have been involved in the development of the Market Regulations and Quality Standards and have provided advice on drafting and implementation.

RISK ASSESSMENT

10. This Market Regulations and Quality Standards report is categorised as low to medium risk.

COUNCIL PLAN POLICY PRINCIPLES AND PRIORITIES

11. The report impacts on the Policy Principles and Priorities of the Council Plan.

CORPORATE PARENTING IMPLICATIONS

12. Council has agreed that all reports to Cabinet and Council, appertaining to Children and Young People issues, and any other appropriate reports should contain corporate parenting implications to ensure consideration is given to looked after children's needs.
13. If your report does not contain corporate parenting implications then you should indicate this under this heading.

CONSULTATION INCLUDING WARD/COUNCILLORS

14. The Market Regulations and Quality Standards were subject to a 28 day consultation with Market Traders in February 2014 and in consultation with the Cabinet Member for Regeneration and Transport.

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Education related

No.

Background Papers

NABMA Consultancy Services – Stockton Market Review May 2013

Ward(s) and Ward Councillors:

All