

Markets Forum

A meeting of Markets Forum was held on Wednesday, 11th April, 2007.

Present: Cllr Cook (Chairman), Cllr Mrs J Beaumont, Cllr Mrs S Fletcher, Cllr W Noble; Market Trader Representatives - C. Hutchinson, P. Johnson, P. Mason

Officers: S. Burgess, C Watson, (DNS), R. Kench (CESC) M. Henderson (LD)

Also in attendance: Market Traders

Apologies: Cllr L. Narroway and J. Mason

1 Markets' Charter and Open Market Regulations

The Chairman explained that, at its meeting held on 14th March 2007, the Forum had requested that a briefing note on the rights of Traders under the Markets Charter and Open Market Regulations be distributed to members of the Forum and all Market Traders. This had duly been carried out and all relevant parties had received the briefing note.

The Chairman asked the Town Centre Manager to provide an overview of the briefing note. Briefing note attached at Appendix to these minutes.

Additional clarification was provided on the following points:

Casual – Traders arrived at Market on an ad hoc basis and paid for a licence to Trade, subject to availability of pitches.

It was explained that the Council would be reviewing the Open Market Regulations 2003 as part of the Markets Redevelopment project to assess their suitability and relevance. It was indicated that a small number of Market Traders could be invited to sit on a Steering Group that would be undertaking the review.

During discussion of a particular issue reference was made to disciplinary procedures contained in the Regulations. It was requested that copies of the Open Market Regulations 2003 be forwarded to Members of the Forum.

CONCLUDED that

1. the briefing note be noted.
2. Copies of disciplinary procedures contained in the Open Market Regulations 2003 be forwarded to Members of the Forum.

3 Proposed New Layout of Stockton Market

The Forum's Members, and Market Traders present, were provided with plans detailing proposed new layouts for Wednesday and Saturday's Markets.

The Town Centre Manager highlighted the key changes

- Pitches immediately adjacent the Castlegate Shopping Centre would be moved and would be incorporated into the main body of the Market. All Market Traders involved had been approached individually regarding this
- Pitches for traders operating on Wednesday and Saturday Markets would be consolidated. As a result most traders would, under the proposals, operate from the same pitches on Wednesday and Saturday.
- The proposed layout achieved a straightening of sight lines, a squaring up of the layout etc. This was an essential part of the proposals and overall plans for the market.
- The area between the Shambles and the monument, incorporating the site previously the location of the underground toilets was to be left free as a flexible space incorporating events, activities and possible street café.
- Removal of a large amount of street furniture to provide more space, including removal of bollards.

Bob Allen, Consultant Engineer working alongside the Town Centre Manager to deliver the markets redevelopment programme provided information about the extent of the consultation undertaken to try and identify layouts that would achieve the correct aims with the minimum detrimental effect to regular traders.

It was explained that concerns had been taken on board and changes incorporated. He felt that the layout was 80 – 85% complete but recognised that further work may be necessary, particularly in the central area.

It was explained that there had been some concerns relating to trailers and moving them off site had been considered. However, it had been agreed that trailers would be allowed to remain on site as trailers were entirely covered by the stall canopy and framework, and not visible to the public. Traders exercising this option would pay for the amount of space used.

The Chairman then asked for comments from Members of the Forum on the proposals and subsequently allowed Market Traders to raise queries and concerns.

Following a number of concerns expressed about the central section (G section) it was agreed that officers and Market Traders involved would meet on 18th April 2007 to discuss issues and come to an agreement.

Discussion also took place with regard to some concerns raised by one of the Market Trader representatives, which had been expressed to him by other Traders. These were in the 'B' section and it was indicated that officers would speak to those individuals regarding their concerns. Reference was made to the Burger van and it was explained that it would be necessary to move the van back and align its furniture with the boundary of other stalls.

It was noted that the plans indicated that the area which was the subject of a planning application for an outdoor café would be kept as an open space even if the application was unsuccessful.

A number of Traders expressed concern about being moved from their existing pitch. They indicated that even a small move could result in the loss of customers.

It was explained that the Market would be re-launched following agreement of any new layout. This would include creation of an eye catching leaflet which would contain a plan showing the location of stalls. The leaflet could be distributed, by Traders, to customers, in the weeks leading to the introduction of the changed layout and would hopefully allow customers to locate the stalls they regularly visited. Other suggestions to raise awareness of the new layout included:-

- Advertising in free papers
- Web site
- Commissioning of a piece of street furniture showing location plan.

The Forum also discussed the following issues:-

- a Market Trader referred to empty shops on the high street and suggested that there may be an opportunity to display some kind of attractive advertising on the frontage of the shops e.g The Riverside Festival. Officers indicated that this was already being considered.
- Reference was made to apparent drain problems toward the northern end of the high street. The Markets and Town Centre Management Officer indicated that he would investigate.
- Traders referred to poles that were normally erected in the central area during the Christmas period, that may have an effect on the layout during that period. Officers agreed to check that this had been considered in the new layout.

Accepting that there were a small number of location issues to resolve, Members of the Forum agreed that the principle of the proposed new layouts was acceptable and progression onto the next steps could commence.

The Town Centre Manager outlined the next steps.

It was explained that the stall covers/canopies came in standard sizes which were multiples of 6 feet (starting at 12 feet) along the length of the stall. Those Traders whose stall fell between the multiples of 6 would have to decide whether they wished to up size or down size. i.e. a trader with a stall of 26 feet would need to consider whether he/she wished to down size to 24 feet or up size to 30 feet.

Following this a representative of the company, that had successfully tendered

to provide the canopies, would visit the market to obtain precise sizes for each stall. Some of the canopies would then be manufactured

In May it was envisaged that trial runs of the new layout would take place at the Wednesday and Saturday Markets to identify any potential problems and feed this information back into the plans before finally commissioning the production of all canopies.

The Forum noted the next steps, however, Market Traders raised a number of concerns relating to the canopies/stall sizes.

Fitted canopies

Traders indicated that fitted canopies could cause problems for them. Following a lengthy debate it was explained that the fitted element of the canopies would be the front facing pelmet only, which would display the Council logo. This was unlikely to cause problems to Traders.

Standardized stalls

Traders were concerned that the requirement for stalls to be up sized or down sized would create problems. It was explained that this had been necessary to keep costs to a minimum. Costs associated with providing different sized canopies for each stall would be prohibitive.

Weather Conditions

Traders raised concerns over the suitability of the canopies in windy conditions. It was explained that the manufacturers/suppliers of the canopies were specialists and this and other concerns could be taken into account to ensure appropriate canopies that were fit for purpose were provided to stalls.

Stocks

It was explained that the Council would keep a stock of canopies.

Canopies would be blue and white stripes.

CONCLUDED that

1. the proposed new layouts, considered at the meeting, be agreed in principle and progression to the next steps, as detailed above, be commenced.
2. the issues and concerns raised by certain traders, relating to location issues in the new layout be the subject of further discussions between officers and the Traders involved.
3. issues raised by Traders relating to empty shops, drains and Christmas decorations be investigated/developed by officers as appropriate.

APPENDIX

THE CONTROL AND GOVERNANCE OF MARKETS IN STOCKTON BOROUGH

1. Market Charter

- a. Stockton's Market Charter was granted in 1310 by Bishop Bec, Prince Bishop of Durham. It continues now by virtue of the Teesside Corporation Act 1971, Local Government Act 1972 and County of Cleveland Act 1987 and is a franchise market. The Saturday market is also a 'Franchise' market pursuant to these Acts.
- b. We are not obliged to hold markets on these days but are permitted to hold them.
- c. In respect of the franchise markets on Wednesday and Saturday the Authority can prevent rival markets within 6 and 2/3 miles as the crow flies (this distance was deemed to be as far as a man with a mule could travel to market in a day!). In respect of Statutory markets our rights to protection are within 6 and 2/3 miles and within the Local Authority boundary.
- d. We can establish other statutory markets within our boundary, and this is at our discretion. If they are deemed to be interfering with our market rights we can give "consent" to their existence - we have adopted section 37 of the Local Government Miscellaneous Provisions Act 1982 which requires anyone intending to hold a car boot sale, for example, to give us notice to hold it. This is regulated by the Markets Service.

Special Markets

Other markets held, such as French or Continental markets, are granted under the Food Act. These are called statutory markets.

2. Open Market Regulations 2003 (for the control and governance of Stockton's markets).

These regulations are provided to every market trader on Stockton's markets. By purchasing a daily licence to trade on one of our markets, the trader agrees to be bound by these regulations, which cover conduct, terms of trading, pitch allocation, sale and purchase of businesses etc. The salient points are listed below:

- a. The licence gives the stallholder a right to a pitch "or such other stall or pitches as the Council (in this case, the Town Centre Manager, Markets Manager or his deputy) in their absolute discretion determine;

- b. The licence to trade is a daily licence valid for the day of issue only upon payment of the appropriate pitch fee;
- c. The Authority is not obliged to licence any trader for more than their daily licence;
- d. Under the County of Cleveland Act 1987 the Authority may at its discretion alter the place where the market is held but has to give notice to do so.

Sue Burgess
Stockton Town Centre Manager
21 March 2007