



**REPORT of
DIRECTOR OF CUSTOMERS AND COMMUNITY**

**to
COMMUNITY SERVICES COMMITTEE
10 JULY 2018**

MARKET TASK AND FINISH WORKING GROUP UPDATE

1. PURPOSE OF THE REPORT

- 1.1 To update Members on the work of the Market Task & Finish Working Group in relation to the Maldon town market (Thursday and Saturday).

2. RECOMMENDATIONS

It is recommended that the Committee agrees: -

- (i) To note the findings of the Markets Task and Finish Working Group;
- (ii) To authorise officers to apply for planning permission to make the current market site in Butt Lane Car Park permanent;
- (iii) To authorise officers to seek tenders for the operation of a market on Thursdays & Saturdays at the Butt Lane car park with the aim of letting a new, five year contract, that will commence in June 2019;
- (iv) That subject to consultation, an option to include market space at the lower end of the High Street is included as future tender option;
- (v) That a further report is prepared detailing the outcomes of the market tender.

3. BACKGROUND

- 3.1 At its meeting on 22 May 2018 (Minute No.106 refers) this Committee considered an interim report outlining the work of the Markets Task and Finish Working Group (MTFWG) regarding the future of the Maldon market. Members noted that report and the fact the working group had not yet finalised its conclusions.
- 3.2 The Committee resolved to extend the contract with the Maldon Market Co-operative for a further 12 months whilst the Markets Task and Finish Working Group (MTFWG) concluded their research on the provision of a Maldon town market.
- 3.3 It is worth noting that the MTFWG has undertaken the review under the assumption that the Council wishes to retain a regular market.

3.4 The MTFWG has considered a range of issues relating to the provision of markets which are detailed below. The areas considered were:-

- Car parking Income – the impact of the market on available spaces within the town centre and loss of potential car parking income because of the location of the market (see **APPENDIX 1**).
- Location – a thorough review of potential sites, (see **APPENDIX 2 & 3**).
- Market research – informal consultation with other local authorities and market operators, including procurement, stall income and the range of goods.
- Procurement – exploration of what can be done to make the market as attractive to operators as possible to maximise the number of bids and chances of delivering a successful market.

4. **REVIEW OF OPTIONS FOR PROVISION OF A MARKET FOR MALDON**

4.1 **Impact on Car Parking Income**

4.1.1 **APPENDIX 1** of this report sets out information in relation to the potential loss of car parking income associated with holding a market at any of the Council's town centre car parks. The MTFWG wanted to explore and have some certainty over the levels of income that could be potentially lost as the figures previously considered by this Committee were felt to be inaccurate.

4.1.2 An alternative methodology has been used to calculate the potential impact, as set out below, which takes into account the average daily income for each car park and includes an amount of spare capacity for each car park. For example the amount of space capacity at White Horse Lane is lower than at Butt Lane thus an assumption has been made in the calculations. It is also reasonable to assume that after the market finishes the spaces occupied are likely to be filled during the afternoon and evening. This then lowers any theoretical loss of income.

4.1.3 **APPENDIX 1** also models a different sized market at each car park, essentially replicating 1, 2 or 3 rows of spaces at Butt Lane which is equal to 19, 27 or 36 spaces respectively.

4.1.4 Using this alternative model / methodology the lowest loss of income would be seen if a market was located at High Street East (Gas Works) Car park and the greatest lost would be associated with White Horse Lane.

4.1.5 The Oak Wood Car Park is a permit only car park with 27 exclusive bays for customers, 7 days a week. If a market was held in this car park permit holders would need to be relocated to the White Horse Lane Car Park which would equate to a loss of all day income of approximately £22,000. The market's service vehicles (vans etc.) would also need to be parked close by, potentially occupying more spaces within White Horse Lane which would add to the pressure in this busy car park.

4.2 Location of the market

- 4.2.1 The location of any market is considered critical to its success. It must be visible and preferably as close as possible to the town centre as possible. **APPENDIX 2** of this report details the analysis of all the most practical locations for the market within Maldon town centre, **APPENDIX 3** shows a map of all the locations considered in **APPENDIX 2**.
- 4.2.2 As Members will be aware the market is currently located in the Butt Lane Car Park. Whilst there are more prominent locations, the MTFWG concluded that it is sizable enough to accommodate the current market with growth or a reduction without a substantial loss to the Council from other incomes streams (e.g. car parking or permit parking income).
- 4.2.3 Of the new locations considered by the working group one High Street location was felt worthy of future consideration. It is shown as location 10 in **APPENDIX 2 & 3** and is suggested that six parking bays could be used outside the shops just east of Wantz Road. An initial consultation with Essex County Council Highways (ECC) has been carried out with no objections raised. For this location to be progressed an amendment to the Traffic Regulation Order would be necessary to restrict vehicles from parking in the bays on the proposed market days. It would not be necessary for a road closure of the High Street to facilitate the market, but a full risk assessment would be required to ensure the safety of the stallholders and the public. It is recommended that officers are authorised to make the necessary application to amend the Traffic Regulation Order and carry out further consultation.
- 4.2.4 **APPENDIX 2** details the locations that have been discounted by the MTFWG for the reasons detailed, except for the Butt Lane car park and the parking bays on the lower end of the High Street outside the front of the Post Office and Cost Cutter shop.

4.3 Market Research

- 4.3.1 The MTFWG felt it would be beneficial to research other local authorities' market operations as well as getting views from the incumbent contractor(s).
- 4.3.2 All those spoken to felt that Oakwood, White Horse Lane, and Butt Lane car parks were all viable locations for a market. The parking spaces at the lower end of the High Street (Location 10) were also viewed positively.
- 4.3.3 Discussions with other local authorities were held to ascertain their approach to management of markets and, where appropriate, how they were procured. A number of ideas have been shared which will help ensure that at the point at which, subject to Member approval, the new contract is procured, it is possible to specify the type and nature of goods to be sold, for example, ensuring that a greengrocer stall is guaranteed as part of the contract.

4.4 Tender Process / Procurement

- 4.4.1 Feedback from neighbouring authorities and a number of market operators highlighted that a revised approach to procurement may help improve the number and quality of tenders received. In previous market procurement exercises, the Council

tendered for the operation and had a very limited number of tenders returned. Consultation has highlighted that market operators need a longer period of time in preparation of their bid and a mobilisation period before the start of the contract so that they can secure traders/stallholders for the location. A longer contract for the market, 5 years, would also encourage potential new contractors to tender for its operation.

4.4.2 If a longer contract period is agreed then it will be necessary to apply for planning permission to operate a market. The current site is renewed on an annual basis and it is recommended that a planning application be submitted to make the market site at Butt Lane car park a permanent market site. This would allow some additional certainty to providers that the Council was committed to the long - term future of the market.

5. CONCLUSION

5.1 The MTFWG's strong view is that the Maldon market should continue to be provided for the town and surrounding area. The MTFWG has now concluded its research and believes that the Maldon market should continue within Butt Lane car park, with a possible extension on the lower end of the High Street outside the Post Office/Cost Cutter. Location 10

5.2 The current contract has been extended with the Maldon Market Co-operative which will allow a longer period of time for market operators to prepare bids and potentially mobilise once the contract has been awarded.

5.3 The length of the new contract should be set at 5 years to provide more certainty and security to potential tenderers. This should also encourage additional stall holders to the market due to the confidence of a lengthy contract period and time to write off any investment required.

5.4 It would be necessary to align the contract term with any planning permissions for the location of the market.

5.5 If the Committee agrees to the recommendations this will give potential operators encouragement to submit tenders. However there remains a risk that the Council may not receive many bids.

6. IMPACT ON CORPORATE GOALS

6.1 This report links to the corporate goals of "Delivering good quality, cost effective and valued services" and "Creating opportunities for Growth and Economic Prosperity".

7. IMPLICATIONS

(vi) **Impact on Customers** – The Council has researched the location of the market to ensure there is easy access for customers and that the market is in the best possible location for the customer.

(vii) **Impact on Equalities** – None identified with this report

(viii) **Impacts on Risk** – No corporate risks have been identified.

- (ix) **Impact on Resources (financial)** – The operation of the current market is £4,750 per annum. However, if the market is operated out of a Council managed car park, the Committee must take into account any loss of income that may arise because of the loss of parking spaces.
- (x) **Impact on Resources (human)** – None.
- (xi) **Impact on the Environment** – None.

Background Papers: Previous reports to the Community Services Committee.

Enquiries to: Esme Mc Cambridge, Community Services Officer, ([TEL: 01621](#) 875747).
Richard Heard, Leisure & Community Services Manager, (Tel: 01621 875838)
Ben Brown, Group Manager, Leisure, Countryside and Tourism, (Tel: 01621 876210).