

WYRE FOREST DISTRICT COUNCIL

CABINET

29th September 2005

KIDDERMINSTER OUTDOOR MARKET

OPEN	
COMMUNITY STRATEGY THEME	A Better Environment
CORPORATE PLAN THEME:	Enabling Community Wellbeing
KEY PRIORITY:	Outdoor Market
CABINET MEMBER:	Councillor Marcus Hart
RESPONSIBLE OFFICER:	Head of Cultural, Leisure and Commercial Services
CONTACT OFFICER:	Keith Burgess Operational Services Manager 01562 732956 keith.burgess@wyreforestdc.gov.uk
APPENDICES	None

1. PURPOSE OF REPORT

- 1.1 To report the recommendations of the Commercial Services Scrutiny Panel on the scrutiny exercise relating to the future of Kidderminster Outdoor Market.

2. RECOMMENDATION

2.1 The Cabinet is asked to DECIDE that:-

- a) In order to achieve enhanced visual appearance and cost benefits to the Council, the Kidderminster outdoor market service is put out to tender.
- b) The Head of Cultural Leisure and Commercial Services, in consultation with the Head of Legal & Democratic Services and the Head of Financial Services and Cabinet member for Commercial Services, be instructed to prepare a specification and tender evaluation model and to invite tenders.
- c) The tenders be reported to the Miscellaneous Functions Committee.

3. BACKGROUND

- 3.1 At the Commercial Services Policy and Scrutiny Panel's meeting on 30th March 2005, it was agreed to include a Review of Kidderminster Outdoor Market as part of the Panel's work programme.
- 3.2 At the Panel's meeting on 15th June 2005, the Panel carried out a scoping exercise and agreed terms of reference for the review.
- 3.3 The Panel agreed that a Task and Finish Group would prove the most effective means of carrying out such a review. This would enable members to meet with the relevant stakeholders to ensure a thorough scrutiny review was undertaken.
- 3.4 It was agreed that the Task and Finish Group would report its findings to the Commercial Services Panel at its meeting on 17th August 2005.

4. THE MARKET

- 4.1 The market is currently operated in-house by the Council's Cultural, Leisure and Commercial Services Division.
- 4.2 The market relocated to its current location in the centre of Kidderminster earlier this year. Its relocation has been met with a mixed response from the public and town centre retailers.
- 4.3 There are currently between 25 and 30 stalls (trestle tables) of varying quality. It is the widely held view that the market would benefit from a face-lift in terms of attracting new additional traders and improving the appearance of the stalls.
- 4.4 Trestle tables are currently delivered, erected and dismantled by five of the Council's Street Scene cleansing operatives on market days. The tables have to be brought to the town centre by 6am, and collected after closing times. They have to be stored at the Council's Cultural, Leisure and Commercial Services site at Green Street, Kidderminster. The full cost of the street cleansing operatives' input is not reflected in the markets budget, as this is being met from within the general cleansing budget.
- 4.5 In contrast a private operator would provide an erecting and dismantling service and use purpose built stalls with skirts and canopies. A thoroughly more attractive Streetscene would be provided.

5. SCRUTINY REVIEW

- 5.1 The following stakeholders were consulted as part of the work of the Scrutiny Exercise:
 - Commercial Market Operators (LSD Promotions Ltd and E G Skett & Co)

- The Chairman and Vice-Chairman of the Town Centre Partnership
- 2 Traders' representatives
- The Council's Market Supervisor
- Officers at Shrewsbury & Atcham Borough Council and Newtown Town Council
- Market traders at Kidderminster's weekly market
- Market traders at the monthly Farmers/Craft Market at Stourport on Severn Riverside
- Market traders at Stourbridge and Worcester
- Andy Broome, Highways Partnership Unit
- The Parks Manager, Wyre Forest District Council

5.2 The Task and Finish Group expressed a wish that the market had an important role in helping with the regeneration of the town centre, to achieve this there was a need to improve the market's image and raise the current standards including quality of service and goods, and general overall presentation.

5.3 The Task and Finish Group concluded that a prospective external Markets Operator should:

- Agree a formal Contract with the Council
- Undertake to pay yearly general rates
- Focus on the market's promotion, publicity and planning
- Advertise/canvass the market via trade press and from the Operator's own databases and existing markets
- In the event of a specialised 'one-off' market such as a craft market, find enough traders through its database to ensure a successful event
- Supply, erect and dismantle all stalls on market days
- Encourage a high quality visual appearance
- Assist and advise traders on their displays
- Liase with traders in consultation with the Council on a continuing basis to ensure good working relationships
- Liase with existing shops and businesses on any market related issues
- Provide Public Liability Insurance cover
- Put in place and display standard Market Rules and Fire Regulations
- Oversee waste/refuse control
- In agreement with the Council, to introduce a themed market to the town on Saturdays, in addition to Thursdays.
- Provide an indication of rates to be charged to stall holders and review mechanism.

5.4 All of the above points could be reflected in the specification, evaluation model and supply contract at tender.

5.5 The Council would retain the residual management function for administering markets licences as part of the Markets Charter.

6. MARKET TRADERS

- 6.1 Two market traders were invited to attend a meeting of the Task and Finish Group as part of the ongoing consultation with stakeholders. One operates a fruit and vegetable stall and the other sells bread and cake. The traders currently enjoy a good relationship with the Council's Officers and felt that a relationship with a market operator may not work so well.
- 6.2 The Panel noted the concerns of the market traders, but concluded that the appointment of an external markets operator provided the best option for the service.

7. TOWN CENTRE PARTNERSHIP

- 7.1 The Task and Finish Group met with representatives of the Town Centre Partnership on two separate occasions.
- 7.2 The Town Centre Partnership currently manages the town's Farmers' Market with E G Skett & Co, and the French market. The Partnership receives a fee from the Market's Operator, which is used to promote the town centre.
- 7.3 The Partnership remains positive about any improvements to the town, and welcomes the fact that there are currently 25/30 market stalls. It sees the outdoor market as an important link between the 'old' area of the town, and the redeveloped Weavers' Wharf area.
- 7.4 However, the Partnership observed that the overall shabbiness of the current Market stalls is having a detrimental effect on the image of the older Town Centre. Any changes involving the enhancement of the appearance of the current market would be a positive achievement.
- 7.5 Generally, informal consultations have indicated that the retailers support the scheme to appoint an independent Operator to manage the market.
- 7.6 The Partnership agreed the idea of an independent contractor managing the market on behalf of the Council and working in partnership with the Town Centre Partnership.

8. GENERAL

- 8.1 Members noted the concerns of the market traders, but agreed that there was a strong case for a private operator to operate the outdoor market in conjunction with the Town Centre Partnership and the Council.
- 8.2 The Panel was satisfied that they had covered the review in as much detail as was required for a successful Scrutiny Review.

8.3 At a meeting of the 17th August the Panel agreed the following recommendations to Cabinet.

- a) **The Kidderminster Town Centre outdoor market service be tendered and awarded to an experienced operator subject to a tender evaluation exercise.**
- c) **A private operator manages the Kidderminster Outdoor Market service in conjunction with the Council and the Town Centre Partnership.**

9. STAFFING

9.1 The Market Officer retired from employment with the Council on the 27th August 2005. It is the intention to split the responsibilities of the post between markets administration (The administration of the markets contract and the issue of markets charter licences). The remaining hours will supplement building service function dealing with such matters as building cleaning supervision and monitoring.

9.2 It is the intention of the Head of Cultural, Leisure and Commercial Services to present a minor, nil cost increase, Building Services restructure to the Chief Executive in due course.

10. PRIVATE MARKET OPERATOR/TENDERS

10.1 It is the intention in a future report to the Miscellaneous Functions Committee that the Committee be asked to decide to note that only two operators will be invited to tender, on the basis that only two market operators function within this geographic area.

11. FINANCIAL IMPLICATIONS

11.1 The Scrutiny Panel has considered the financial implications of externalising the markets service, and agreed the rationale for the externalisation would be on an improved quality of service basis, rather than a reduction in cost to the Council.

11.2 Following tender evaluation any saving arising would be identified in a future report to the Miscellaneous Functions Committee.

11.3 The change to a private operator should be at no additional cost to the Council.

12. LEGAL AND POLICY IMPLICATIONS

12.1 There are no specific legal or policy issues relating to the externalising of the Market Service. The operational issues have been addressed in the body of this report.

13. RISK MANAGEMENT

- 13.1 There are no significant risk management issues arising, providing the externalisation of the market service is tendered in accordance with the Council's Standing Orders Relating to Contracts. Any perceived risk will be reduced in the drafting on a detailed service specification, evaluation model and supply contract.
- 13.2 Although there are no significant financial implications arising from this report, due to the unusual nature of the proposed tender, the opening of the tenders will be referred to the Miscellaneous Functions Committee.

14. CONSULTEES

CMT
Cabinet Member for Commercial Services
Chair of the Scrutiny Panel Commercial Services

15. BACKGROUND PAPERS

- 15.1 Completed draft Scoping Form
15.2 Notes from the following Task and Finish Group meetings:

- Tuesday 21st June 2005
- Thursday 7th July 2005
- Tuesday 12th July 2005
- Monday 18th July 2005
- Friday 29th July 2005
- Wednesday 3rd August 2005
- Monday 8th August 2005

- 15.3 Briefing Paper for the Budget Review Group on the Street Market
15.4 Commercial Services Scrutiny Report 17th August 2005.

16. APPENDICES

None.

KB/JHL
07/09/05