

Report to Portfolio Holder for Growth and Regeneration

Subject: Extension of the Relocation of Arnold Market Stalls on a temporary basis

Date: 4th October 2022

Author: Head of Regeneration and Welfare

Wards Affected

Ernehale

Purpose

This report seeks approval to extend the current agreement for a temporary market at Eagle Square to enable the Council to undertake a full review of the future permanent location of the Arnold Town Market.

Key Decision

This is not a key decision.

Recommendations

1. Subject to all necessary consents and permissions being obtained, approval is given to extend the temporary arrangement for Arnold Town Market to be held at Eagle Square, Arnold until 31st January 2023 whilst a full review is undertaken for the future location of the market.
2. Approval is given to commence a consultation with market stall holders, businesses surrounding Eagle Square and Arnold Market Place as well as other stakeholders regarding the permanent location of Arnold Market.

1. Background

- 1.1 On 3rd December 2020, approval was given to relocate Arnold Town Market to Eagle Square from Market Place, Arnold on a temporary basis whilst works commenced on the new Arnold Market Place (AMP) development. This was to ensure that the market stall holders could continue to trade during the construction programme. The market was subsequently relocated to Eagle Square and has remained in that location since.

- 1.2 The construction of the new AMP is nearing completion and in preparation for the opening of the new facility informal consultation was carried out by an external consultant Ophelia Gamble on behalf the Council in July 2022 with the existing market traders. This informal consultation was intended to determine if the temporary move had been a success and if the Council should consider a permanent market on Eagle Square. The majority of the feedback received from current traders at Arnold Market was for the market to continue to trade from Eagle Square.
- 1.3 In order to operate a market from Eagle Square, the Council needs to ensure that appropriate consents and approvals have been granted. Continued consent to operate the market from its current location, which is currently a prohibited street under the Council's Street Trading Policy, has been submitted. Officers are also liaising with Nottingham City Council to obtain approval to continue the market at Eagle Square for a further period in accordance with the Market Charter. Nottinghamshire County Council, as the Highways Authority, have confirmed their agreement for the market to remain at Eagle Square until 31st January 2023.

2. Proposal

- 2.1 It is proposed that approval is given to extend the provision of a temporary market at Eagle Square, Arnold. The proposal is intended to provide the opportunity for the Council to undertake a full review of market provision in the town centre and to undertake more thorough formal consultation with market traders, local businesses and other stakeholders about the permanent location of the market.

3. Alternative Proposals

- 3.1 The Council has the option to relocate the market to the new development site. However this option would ignore the informal feedback received from the traders and the positive impact the market has made to a primary gateway into the Town Centre. The option to extend the current arrangement provides an opportunity for the Council to undertake a full review of options with traders, businesses and shoppers.

4. Financial Implications

- 4.1 There are no additional costs anticipated as a result extending the current agreement for a temporary market at Eagle Square up to 31 January 2023.

5. Legal Implications

- 5.1 The Council operates the market at Arnold Market Place pursuant to powers under section 50 of the Food Act 1984 (as amended). This provides local authorities with the power to establish or acquire a market within their area, subject to the proviso that a market may not be established so as to interfere

within any rights, powers or privileges enjoyed in respect of any markets within the area without the consent of the person with the benefit of such rights. Alternatively, the Council could utilise its general power of competence under section 1 of the Localism Act 2011 to relocate the market. This gives local authorities the power to do anything that individuals generally may do.

- 5.2 The appropriate consents and approvals must be obtained for the market to continue to operate from Eagle Square including consent to trade under Street Trading rules, as well as approval in relation to the Nottingham Market Charter.

6. Equality Implications

- 6.1 An Equality Impact Assessment was completed for the relocation of the market stalls. This has been reviewed and there are no equalities implications that need to be considered as part of this report.

7. Carbon Reduction/ Sustainability Implications

- 7.1 None perceived.

8. Appendices

- 8.2 No appendices

9. Background Papers

- 9.1 Previous Portfolio Holder Decision to allow the temporary move (3rd December 2020)
- 9.2 Attached Equality Impact Assessment

10. Reasons for Recommendations

10.1 To enable a review of the market location to be undertaken in full consultation with traders, businesses and residents.

10.2 To ensure the continued prosperity of the wider town centre of Arnold.