

Report to Portfolio Holder for Growth and Regeneration

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

Date: 08/05/24

Author: Economic Growth and Regeneration Manager

Wards Affected

Ernehale

Purpose

To seek 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 Arnold Town.

Key Decision

No

Recommendation(s)

THAT:

- 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 March 30th 2025 whilst a full review is undertaken for the future location of the market.**
- 2. Subject to all necessary consents and permissions being obtained approval is given to commence a further 28-day consultation with market stall holders, local residents, businesses surrounding Eagle Square and Arnold Marketplace 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 the Marketplace, Arnold on a temporary basis whilst

works commenced on the new Arnold Marketplace (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.

- 1.2 The construction of the AMP is now complete. An informal consultation was carried out by an external consultant on behalf the Council in July 2022 with the existing market traders. This process was to determine whether the temporary move had been successful and whether the Council should consider a permanent market on Eagle Square. At that time, the feedback received from the market traders was for the market to continue to trade from Eagle Square. However, due to the time that has passed it is appropriate to establish if this view remains valid.
- 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 granted and an application to extend the temporary planning permission has been granted.

Officers liaised with Nottingham City Council Market Team 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, are also being consulted on their agreement for the market to remain at Eagle Square. Both will as part of the consultation, if approved be consulted on the potential permanent relocation. of the market.

- 1.4 Before any permanent relocation of Arnold market traders can be granted a process of consultation is required. This includes consulting with the market traders, local community, residents, businesses, and agencies. Following the consultation any representations will be considered and presented to Cabinet to determine whether the Authority makes permanent the relocation of Arnold Market Traders to Eagle Square. This is a second round of consultation due to the original expiring.

2 Proposal

- 2.1 It is proposed that approval is given to extend the provision of a temporary market at Eagle Square, Arnold to provide the opportunity for the Council to undertake more thorough formal consultation with the market traders, local community, businesses, and other stakeholders in relation to the proposed permanent relocation of Arnold market traders to Eagle Square.

3 Alternative Options

- 3.1 Approval is not obtained for the provision of a temporary market at Eagle Square to allow for a period of consultation regarding the permanent relocation. This would mean in order to continue to operate the market

from Eagle Square the consents and permissions that are required will need to be renewed annually. This will also fail to provide the traders with any consistency for the permanence of their trading.

4 Financial Implications

- 4.1 There are limited financial implications regarding extending the agreement for a temporary market at Eagle Square up to 30th March 2025 and the costs of the consultation would be met through existing staff time.

5 Legal Implications

- 5.1 The Council operates the market at Arnold Marketplace 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 Equalities Implications

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

7 Carbon Reduction/Environmental Sustainability Implications

- 7.1 None perceived

8 Appendices

- 8.1 No Appendices

9 Background Papers

- 9.1 Previous Portfolio Holder Decision to allow the temporary move 4/10/22

10 Reasons for Recommendations

- 10.1 To enable Gedling Borough Council to seek opinions from traders, businesses, residents and other stake holders relating to the permanent relocation of Arnold Market to Eagle Square.
- 10.2 To ensure the continued prosperity of the wider town centre of Arnold.
- 10.3 To provide the Arnold Market Traders with a consistent and permanent marketplace to trade from.

Statutory Officer approval

Approved by:

Date:

On behalf of the Chief Financial Officer

Approved by:

Date:

On behalf of the Monitoring Officer