

## **Report to Cabinet**

**Subject:** Arnold Market

**Date:** 12<sup>th</sup> December 2024

**Author:** Assistant Director Housing, Growth and Regeneration

### **Wards Affected**

Ernhale

### **Purpose**

To permanently relocate the Arnold Market to Eagle Square subject to planning approval.

### **Key Decision**

No

### **Recommendation(s)**

#### **THAT:**

- 1) Subject to all necessary consents and permissions being obtained, approval is given to permanently site the Arnold Market at Eagle Square.**

## **1 Background**

- 1.1 In 2020 the Council approved the decision to proceed with the development of the Arnold Market Place (AMP). To support the AMP development, planning approval was secured to temporarily relocate the Arnold Market to Eagle Square and a street trading consent was granted by the Environment and Licencing Committee in 2022 which was extended in October 2024 and expires in December 2026.

1.2 The first phase of the AMP development was completed during the autumn 2022 that included the works to the ground floor retail and public realm. The first-floor works were completed in November 2024. Since opening the public realm area has been used for both events and monthly pop-up speciality markets managed by an independent operator. This has provided the Council with flexibility of use that a static market would prohibit.

1.3 The application to extend the street trading consent in October 2024 was to allow the Council to consult with the market traders, local retailers/businesses and the public on the permanent location of the Arnold Market. Informal feedback received from traders and shoppers indicated that there was a preference to remain at Eagle Square. The presence of the market at Eagle Square provided an active and visible gateway to welcome visitors to Arnold. The consultation exercise was intended to establish whether this was the case to support the permanent presence of a market at Eagle Square.

#### 1.4 **Market Consultation**

During 7<sup>th</sup> – 27<sup>th</sup> October 2024 a targeted consultation exercise was undertaken to collect and collate the views of traders, retailers, and shoppers of Arnold town centre (Appendix 1). The consultation included

- Online resident survey
- Retailers and businesses liaison (Town Centre)
- Market trader survey

1.5 The consultation was promoted through the Council's "Have Your Say" Web page and correspondence was sent to retailers and market traders. In addition, officers visited all businesses neighbouring Eagle Square who assisted in the completion of the surveys or collected views where businesses did not wish to complete a survey. The Town Centre Manager also held discussions with market traders during the consultation period.

1.6 The consultation captured the views of 132 respondents that included

- Public 64
- Retailers/businesses 62

- Market traders 6

Although shoppers were less supportive of the Arnold Market remaining on Eagle Square (48%), the majority of local retailers/business and market traders supported this proposal (62% and 100% respectively)

1.7 The consultation exercise offered consultees with the opportunity of providing comments, with the most frequent listed below:

- More traders and greater variety of products
- A deep clean and regular weeding of the area
- More specialist markets, such as, farmers, flea, artisan
- New equipment, table tops and canopies

### **Ambition Arnold**

1.8 Earlier in the year, during July and August 2024, the Council undertook a consultation exercise to support the development of the Arnold town centre masterplan. The consultation was focused on the draft Ambition Arnold visionary masterplan that included a review of the strengths and weaknesses of the town as well as the opportunities and challenges to its long-term viability and sustainability. One of the key themes identified in the vision was the potential to promote more diverse retail and enhance and expand the market offer to draw footfall into the town to secure its long-term viability.

1.9 The Ambition Arnold consultation received 652 survey responses, with 84% of respondents agreeing that the town would benefit from a focus on improving the regular market and more events for the community to engage with (Appendix 2)

### **Small Town Benchmarking Review**

1.10 During July 2024, an independent benchmarking review was undertaken by People & Places. The Benchmarking Review was commissioned by a Wilmott Dixon (consultants) as part of the Ambition Arnold contract of works. The review benchmarked Arnold town (213 units across the town), with similar small towns across the country (localities with less than 250 units). (Appendix 3)

1.11 This benchmarking review confirmed that the number of Arnold Market (Eagle Square) traders to be below the national average of 15 (7 regular

traders) and 4 traders on a Friday.

- 1.12 The benchmarking report was based on a survey of 1,386 respondents 95% of Arnold town centre users. The survey identified that 65% of town centre users did not use the market, stating the key reason to be the limited number of stalls and choice. However, 65% of town centre users stated that they would like to see the market sited at Eagle Square.
- 1.13 The benchmarking report also identified that on a market day the footfall was 112% higher than the national average for similar Small Towns (223 persons per 10 mins). The non-market day average in Arnold being 160 persons per 10 minutes.

### **Market Charter**

- 1.14 All markets within a 6 $\frac{2}{3}$  radius of a Nottingham City Council market are subject to the Market Charter. The Nottingham City Council is the owner of the market rights granted by Royal Charter and under the 1984 Food Act. Any person or organisation wishing to operate a rival market must have the consent of Nottingham City Council and will be subject to a Market Charter fee (markets with less than 6 stalls are exempt). The fee is assessed every quarter. Both the Arnold Market and AMP speciality market have the consent of Nottingham City Council and are subject to the Charter fee.

### **Arnold Market**

- 1.15 Although the Council has undertaken works to improve the accessibility of the market at Eagle Square by removing a step and has also invested in new canopies, it is recognised that the Arnold Market operating model needs to be reviewed and is not optimising its potential.
- 1.16 Currently Arnold Market has available 14 market stalls and operates on a Tuesday, Friday, and Saturday. There are 7 regular traders and an average of 3 casual traders operating from Arnold Market (Eagle Square). The stall charge has remained unchanged since 2021.
- 1.17 The Council in Autumn 2023 commissioned a market operator, AMP Live Events, to host monthly pop-up speciality markets and 4 Christmas markets at the AMP. The contract is to expire in October 2025. The current contract is open book with the operator being responsible for all aspects of the operation of the market including the Market Charter.
- 1.18 The Council is to complete a review of market provision in Arnold that is to be completed during 2025. This will include consideration of the existing policies, pricing, marketing, and management models. The

review of the market includes the speciality market provision at the AMP. This is to ensure a coherent Market Strategy that is both financially viable for the Council and focused on supporting local entrepreneurs and driving footfall into Arnold.

- 1.19 The Growth and Regeneration Service is overseeing the review of market provision in collaboration with the Property Services to develop a viable market business model.

## **2 Proposal**

- 2.1 A general market can provide choice for consumers and competition on the high street. A busy and well-used market provides a clear economic indicator to the vitality of a town. A market is the first place to spot trends in footfall, potential weaknesses in retail mix and the buoyancy of the local economics. It can also create a snapshot of opportunities too. A market with a strong mix of products provides a place for local entrepreneurs to product test, supporting new start-ups stimulating the economy.

- 2.2 The Ambition Arnold baseline review and visionary masterplan examined the opportunities to revitalise the Town Centre. A key theme of the visionary masterplan was the opportunity to expand and diversify the market offer and provision in the town. The aim being to fully realise its potential and create the opportunity for a wider programme of events to drive footfall into the town. A vibrant high street market providing a key driver in increasing footfall and stimulating the visitor economy.

- 2.2 The consultation and benchmarking exercise as outlined above, confirm support for broadening the retail and market offer in Arnold Town Centre. It also highlighted the importance of the market in drawing additional footfall into the town. The market consultation and benchmarking report identified that there is significant support for the Arnold Market to remain on Eagle Square from town centre users, retailers, and traders.

## **3 Alternative Options**

### **Do Nothing**

- 3.1 A do-nothing option would by default require the Arnold Market to be relocated to the public realm area outside of the AMP development as per the original business case. The installation of permanent market stalls would restrict the area of alternative use of the AMP open space and is contrary to the feedback received from traders and local retailers and businesses.

- 3.2 The Arnold Market provides an active frontage to the southern gateway of the town. A do-nothing option that would locate the market outside of the AMP would diminish the Eagle Square area as main gateway into the town contrary to the themes of the Ambition Arnold masterplan.
- 3.3 The do-nothing option would also maintain current arrangements in the operation of the market which has witnessed a decline in its offer. A do-nothing option will further threaten the market's viability if traders and revenues continue to reduce and could have a significant impact on the footfall in the town.

#### **4 Financial Implications**

- 4.1 To permanently relocate the Arnold Market to Eagle Square there is a planning permission fee of £624.
- 4.2 It is expected to have no impact on current income levels as the Arnold Market has been operating on the site since 2022.
- 4.3 Arnold Market has been running at a deficit for a number of years and a business case is to follow with options to enhance income levels and reduce costs to ensure value for money.

#### **5 Legal Implications**

- 5.1 The Council seeks to permanently locate the Arnold Market at Eagle Square 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 also seeks to 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 Council must ensure the relevant consent and approval is in place regarding the Nottingham Market Charter.
- 5.3 The Arnold Market will require an approved Planning permission to operate permanently from the site. The Planning Application will need to be submitted to Planning Committee for consideration.
- 5.4 Appropriate Street Trading consent will be required to operate Arnold Market from Eagle Square. This consent can be obtained through an application which will require continuous applications to ensure continued compliance into the future. For a more permanent option, the

Council should consider amending the boundary of the Street Trading consent area to exclude the Eagle Square which will permit the Arnold Market to remain sited permanently without the need for further applications for Street Trading consent.

## **6 Equalities Implications**

- 6.1 An Equality Impact Assessment has been completed and is attached (Appendix 4). Recent works at Eagle Square have removed a step that was a barrier to accessibility and no equalities issues have been identified by retaining the Arnold Market at Eagle Square.
- 6.2 An Equality Impact Assessment will be undertaken as part of the Market Review.

## **7 Carbon Reduction/Environmental Sustainability Implications**

- 7.1 A Carbon Impact Assessment has been completed and is attached (Appendix 5) No Carbon Impact issues have been identified by retaining the Arnold Market at Eagle Square
- 7.2 A Carbon Impact Assessment will be undertaken as part of the market review.

## **8 Appendices**

Appendix 1a, b and c Market Consultation Reports

Appendix 2 Ambition Arnold Survey Results

Appendix 3 Arnold 2024 Benchmarking Report

Appendix 4 Equality Impact Assessment

Appendix 5 Carbon Impact Assessment

## **9 Background Papers**

1<sup>st</sup> October 2024: Report to Environment and Licencing Committee  
Application for Street Trading consent at Eagle Square Arnold

## **10 Reasons for Recommendations**

- 10.1 The report outlines the rationale for the permanent location of the Arnold Market at Eagle Square that is supported by recent consultation and a bench marking exercise. The report outlines the importance of a vibrant market offer to support the long term viability and sustainability of the town by drawing footfall and supporting local entrepreneurs. The report also outlines the case for a review of the current market operating model

to support its long-term viability.

**Statutory Officer approval**

**Approved by:**

**Date:**

**On behalf of the Chief Financial Officer**

**Approved by:**

**Date:**

**On behalf of the Monitoring Officer**