



**Prosperous Communities  
Committee**

**Tuesday 5<sup>th</sup> December 2023**

**Subject: Gainsborough Market Trader Terms and Conditions**

Report by:	Director of Commercial & Operational Services
Contact Officer:	Ady Selby Director - Operational & Commercial Services  ady.selby@west-lindsey.gov.uk
Purpose / Summary:	To support the delivery and viability of Gainsborough Market by adopting revised Market Trader Terms and Conditions

**RECOMMENDATION(S):**

- 1. Members approve the refreshed Gainsborough Market Trader Rules and Regulations as at Appendix 1**
- 2. Members approve delegating minor changes to the Rules and Regulations to the Director of Commercial and Operational Services following consultation with the Chairman of Prosperous Communities Committee**

## IMPLICATIONS

**Legal:** None

**Financial :** FIN/115/24/SL There are minimal financial implications resulting from the proposal to change Traders Rules and Regulations. The current operational contractual arrangements with staff mean that they are required to erect and dismantle up to 40 market stalls using current resources, meaning no extra payments would be made. Therefore, any difference between the current amount erected and dismantled up to 40 stalls would attract additional rental charges, but not cost more operationally. For an amount between forty and sixty stalls, an additional labourer would be required costing £67-39, at the agreed Fees and Charges rate of £7 per stall, ten stalls would need to be erected and dismantled in order to cover new costs.

**Staffing :**

The management and monitoring of the new Market Trader Rules and Regulations will be the responsibility of the Towns Manager. There is enough current contracted resource to erect and dismantle up to forty stalls. For an amount between forty and sixty stalls, an additional labourer would be required.

**Equality and Diversity including Human Rights :**

No new Equality and Diversity implications arising from the amendment to the Market Trader Rules and Regulations.

**Data Protection Implications :**

No new Data Protection implications arising from the amendments

**Climate Related Risks and Opportunities:** As this is an amendment to current Trader Rules and Regulations, no new climate assessment is required. Any significant increase in trader or visitor numbers would result in an increase in carbon emissions from vehicular movements.

**Section 17 Crime and Disorder Considerations:** None

**Health Implications:** The regeneration of Gainsborough Town Centre and any associated growth of the Market would bring health benefits to residents and visitors.

**Title and Location of any Background Papers used in the preparation of this report :**

Wherever possible please provide a hyperlink to the background paper/s  
If a document is confidential and not for public viewing it should not be listed.

**Risk Assessment:**

Improvements to Gainsborough Market are an important part of plans to regenerate the area, alongside other measures being delivered as part of Levelling Up Fund and Heritage led projects. Whilst the Council seeks to support traders and Special Market Operators to deliver their proposals, there is a risk that these initiatives may not be delivered to the scale outlined in this report. Officers will work alongside traders and SMO's to deliver their proposals wherever possible. The proposal for SMO's to work with the West Lindsey Safety Advisory Group and abide by their recommendations will ensure that proposals are delivered in a safe, legal and compliant manner.

**Call in and Urgency:**

**Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?**

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

No

X

**Key Decision:**

A matter which affects two or more wards, or has significant financial implications

Yes

No

X

## **1 Introduction**

- 1.1 The traditional twice weekly street market In Gainsborough is located in the Marketplace and is of cultural and historical significance to the town.
- 1.2 West Lindsey District Council have plans in place to regenerate the centre of Gainsborough through the transformational £18million Levelling Up Thriving Gainsborough initiative.
- 1.3 The Council recognises that a thriving street market offer can and should be at the heart of proposals to transform the offer in the town centre. To this effect the Levelling Up proposals have been designed to deliver improved town centre infrastructure, public realm and through the delivery of a new cinema and leisure scheme, achieve a step change in footfall and vibrancy – all of which will support and complement the street market offering.
- 1.4 However, delivering significant regeneration interventions take time. In order to support the market in the interim, the Council are using other funding sources such as UKSPF to deliver events and enlivening activities, business support and other town centre management work.
- 1.5 This is all part of the work agreed by this committee as part of the three year Markets Action Plan, which is in year two of delivery.
- 1.6 In recent months trader numbers have stabilised and whilst we are not yet seeing an improvement, the decline has been stemmed. However, there remains a concern that condition on the market could worsen despite the strong desire from the Council to see improvement and continue with investment.
- 1.7 To this effect, recently, Prosperous Communities Committee resolved to form a Member Markets Working Group, this group had its first monthly meeting on November 3. A key focus for the working group is the potential to improve the market offering in the short term through speciality markets.
- 1.8 Events and speciality markets such as the Farmers Market are normally operated by the in-house teams.
- 1.9 However, in recent months, the Council has received requests from operators to host specialist markets themselves. To date these have included a small vegan market offering and a larger antiques market proposal.
- 1.10 There is a general desire to enable these proposals to be delivered in order to support the general market, however this isn't possible within the constraints of the current Market Trader Rules and Regulations.
- 1.11 Therefore, appended to this report are refreshed Rules and Regulations for the consideration of Members.

## **2 Current Reality**

- 2.1 In recent times the Council worked in partnership with Marshalls Yard to deliver large events and specialist markets. Events included Christmas Markets and Food and Garden Festivals. The monthly Farmers Market also moved from Marshalls Yard onto Market Street and ultimately into the Market Place.
- 2.2 As in-house capacity increased, the Council has continued to deliver the Farmers Market and also the Revive Festival and Christmas events.
- 2.3 Whilst these have been well-received and helped support the general market, there hasn't been a sustained increase in trader numbers during this time.
- 2.4 As set out above, the wider town centre regeneration, led through the Levelling Up Thriving Gainsborough programme will take time to deliver.
- 2.5 The Members Markets Working Group have tasked officers with developing other innovative initiatives which could support improvements in the short term.

## **3 Speciality Markets**

- 3.1 Whilst the Council seeks to manage the Market offering including some speciality markets, recent conversations with potential traders suggest that a more commercial model would be to allow the 'experts' to manage speciality markets by using their connections and relationships within particular sectors.
- 3.2 In particular, an antiques trader has proposed a model where they operate a sixty-stall speciality market each Saturday between April and October starting in 2024.
- 3.3 In conversation with Members and Officers they are confident they have the connections and relationships within the sector to enable this to happen.
- 3.4 However, the current market trader Rules and Regulations do not enable a model of this kind or motivate this kind of operation by the operator recovering costs and even making profit.
- 3.5 That said, recent changes to the Fees and Charges regime approved by Corporate Policy and Resources Committee in November 2023 do allow for a reduction of stall rents of £7 per stall for traders who can deliver 25+ stalls.
- 3.6 A speciality market of this size could bring much needed footfall to the town and encourage the growth of the market.
- 3.7 Therefore, amendments to the current Market Trader Rules and Regulations are proposed, refer to appendix 1, in particular section 9.

#### **4 Points for consideration**

- 4.1 The size of market proposed by the antiques operator would undoubtedly bring welcome footfall and trade to Gainsborough.
- 4.2 Business Plans produced by the operator to date have not confirmed any commitment for other antiques traders to attend, however officers and Members are prepared to support the operator in further developing their plans.
- 4.3 It should be noted that if the operator is able to fill sixty stalls, this would be approximately one third of the size of the former Lincoln Christmas Market. Hence, given the expected level of footfall, there is a level of risk which needs to be managed to ensure any event of this size is operated in a safe and compliant manner.
- 4.4 There would also be a level of financial risk for the authority, erecting and dismantling this number of stalls could increase the operational cost. The wider benefits of delivering this speciality market go beyond financial ones, however appropriate governance should be put in place to ensure stall rental due to the Council is paid.

#### **5 Proposal**

- 5.1 Taking into account all the information above, it is proposed to amend the Gainsborough Market Rules and Regulations as at Appendix 1, in particular section 9.
- 5.2 Traders can apply to sub-let stalls above a minimum level of eight stalls, subject to agreement by Council officers.
- 5.3 Any trader proposing to deliver between 25 and 60 stalls would be deemed to be a Specialist Market Operator and special conditions apply.
- 5.4 Most importantly, an Event Plan for this specialist Market should be delivered to the West Lindsey Safety Advisory Group (SAG) in a timely manner.
- 5.5 The WL SAG considers event safety across the local authority district and, where relevant, impacts from events held in neighbouring districts or counties. It consists of membership from Blue Light Services, Highways, Emergency Planning and West Lindsey's Licensing lead officer and Health and Safety Advisor.
- 5.6 Recommendations from SAG should be implemented in full before the speciality market is allowed to proceed.
- 5.7 The Specialist Market Operator can enjoy the agreed reduced rate for filling above 25 stalls, should that number not be achieved the regular rate will apply in line with the agreed Fees and Charges Schedule.

5.8 Minor amendments to the Market Trader Rules and Regulations can be agreed between the Director of Operational and Commercial Services and the Chairman of Prosperous Communities Committee.