

Lichfield City Council

Donegal House, Bore Street, Lichfield, Staffordshire, WS13 6LU

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Town Clerk: Anthony Briggs BA (Hons), CILCA

21 September 2023

To: Members of the Markets Working Group

Councillors J Blackman (Chair) and D Baker, M Field, C Pinder-Smith, P McDermott, and J Smith.

Also, to:

LCC Markets Officer (Jeremy Williams)
Office Administrator (Michelle Read)
LCC Deputy Town Clerk (Sarah Thomas)

Dear Councillor

Markets Working Group

You are invited to attend a meeting of the Markets Working Group to be held via 'Zoom' at **10:00am on Thursday 28 September 2023** for the transaction of the following business. Any Councillor unable to attend should forward their apologies to the **Deputy Town Clerk** (sarah.thomas@lichfield.gov.uk). Members of the public can observe the meeting; the Zoom link can be made available by email to enquiries@lichfield.gov.uk

Yours sincerely

Tony Briggs
Town Clerk

AGENDA

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST AND REQUESTS FOR DISPENSATION

3. MINUTES AND MATTERS ARISING

To confirm as a correct record the Minutes of the MWG meeting held on 13 July 2023 (copy attached) [*Minutes adopted by Council on 24 July 2023*] and to consider any matters arising from those Minutes.

4. MARKETS UPDATE

To consider the Market Officer and Office Administrator's report at **APPENDIX 1** (attached).

RECOMMENDED: That the report be noted

5. TRADER REPRESENTATION

At its meeting on 1 June the Markets Working Group resolved that Market Trader John Dawkins be invited to attend future meetings of the Working Group as appropriate, after he put himself forward for the position of Trader Representative to the MWG.

On 27 August 2023, Mr Dawkins advised that he was resigning as Trader Representative. LCC officers have canvassed traders for a replacement, but no trader has yet been nominated or put themselves forward.

RECOMMENDED: That the report be noted.

6. ELECTRICITY CHARGES – INTERNAL AUDITOR REVIEW

To consider the Town Clerk’s report at **APPENDIX 2** (attached) which follows an interim report from the City Council’s Internal Auditor.

RECOMMENDED: The MWG to:

1. **Consider whether it wishes to amend the amount charged per appliance for electricity.**
2. **Decide upon any agreed revised cost, implementation date etc.**
3. **Decide upon any exemption from the charge for lighting.**
4. **Make a corresponding recommendation to Council.**

7. WINTER DISCOUNT

For many years the City Council has offered a ‘Winter Discount’ to Traders during the difficult trading months of January and February. The discount provides for a 25% reduction in prevailing pitch fees (but not the associated service charge) for permanent Traders who attend the Market. Those traders who do not attend for any reason other than duly booked “free holiday” or a reason that subsequently results in the cancellation of arrears such as severe illness) will be liable for the full rent.

This incentivises traders to attend – and reduces the cost of doing so – during January and February, helping to ensure good attendance throughout the year and associated footfall. It does however come at a cost to the council when compared to full market rent. The table below which shows the relative cost for each market during 2022/23:

Winter Discount (25% off rent) 22/23 actual	Friday	Saturday	Tuesday	Total
January	£367	£585	£387	£1,339
February	£416	£504	£411	£1,331
Total	£783	£1,089	£798	£2,670

Market Traders are very appreciative of this incentive, and it has worked well, but the continuation of the incentive has not been considered formally for some time, and neither has its appropriateness in its current form.

RECOMMENDED: The MWG to discuss the appropriateness of the Winter discount and any possible continuation, withdrawal, or variation thereof. On conclusion of discussion, the MWG to make a corresponding recommendation to Council.

8. MARKET CHARGES 2024/25

Further to the item on electricity charges above, officers will shortly begin to prepare the draft 2024/25 budget which will be considered by Council at its meeting scheduled for 22 January 2024. At the same meeting, the Council also considers its fees and charges for functions such as the Guildhall and Markets. In order to assist officers in preparing a draft budget, the MWG is asked to consider the existing fee structure and give an indication as to whether it wishes any amendment for 2024/25 at this time. Members are reminded that this is to assist with draft budgets only and does not form a firm decision for 2024/25.

The current fees and charges are provided at **APPENDIX 3** (attached).

RECOMMENDED: The MWG to consider the current Markets fee structure and decide upon any variations it believes appropriate for 2024/25 in order to assist with the development of the draft 2024/25 budget.

9. DATE AND TIME OF NEXT MEETING

To be decided by the Working Group.

ANY OTHER BUSINESS AT THE DISCRETION OF THE CHAIR

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Lichfield City Council

Minutes of the Meeting of the Markets Working Group (MWG) held in the Moulton Room, Guildhall on Thursday 13 July 2023 at 10:00am

PRESENT: Councillors J Blackman (Chair) and Councillors, D Baker, P McDermott, and J Smith.

IN ATTENDANCE: S Thomas (Deputy Town Clerk), Jeremy Williams (Markets Officer), Michelle Read (Office Administrator)

APOLOGIES: Cllr C Pinder-Smith

11. DECLARATIONS OF INTEREST AND REQUESTS FOR DISPENSATION

None.

12. MINUTES OF PREVIOUS MEETING

RESOLVED: *The Minutes of the MWG meeting held on 1 June 2023 be confirmed as a correct record [Minutes received by Council on 12 June 2023].*

13. MATTERS ARISING FROM MINUTES

There were no matters arising.

14. MARKETS UPDATE

Members considered the agenda report. The Office administrator provided an update to pitch occupancy and new traders, including the recent addition of a butcher.

Members commented on a scheme operated by Tamworth Borough Council to attract 'pop up shops' and encourage entrepreneurs. Officers were asked to liaise with Officers at Tamworth Borough Council for further information to determine if this model could be applied to Lichfield Markets.

Members were informed that the trial rent incentive was due to start w/c 17 July. Comments submitted on behalf of the traders were noted and it was agreed that the incentive be trialled until the end of September and the results reported back to the MWG.

Members noted the Office Administrator's comments regarding an online booking system. It was agreed to explore the online offering of other markets booking systems and report back to the MWG before pursuing further.

RESOLVED: *That the report be noted*

15. FOOD FESTIVAL HIRE OF POOL WALK

Members considered the Deputy Town Clerk's report at agenda **appendix 2** and presentation from Cockerhoop Creative regarding the hire of Pool Walk for the forthcoming Food Festival and variation to the approved layout agreed by this committee and subsequently adopted by Council.

RESOLVED:

- a) *That the City Council's approved plan be amended to permit 24 stalls on Minster Pool Walk for the August Food Festival and any subsequent hirer.*
- b) *That prior to the event the hirer submits a stall plan and details of the traders attending to the City Council for approval.*
- c) **RECOMENDATION TO COUNCIL** *That double the hire fee be imposed on all Hirers plus any associated costs for damage incurred if the agreed layout for Minster Pool Walk is not adhered to.*

16. MARKET FINANCES

Members considered the Town Clerk's report, at agenda **appendix 3** which provided comparative figures for 2022/23 and budgets for 2023/24 for the Market function. Members noted the loss in market income and agreed to bear this in mind when setting next year's budget. In the meantime, Officers were asked to promote use of the square for Commercial hire for the remainder of this financial year.

RECOMMENDED: That the report be noted

17. TRADER REPRESENTATION ON THE MARKETS WORKING GROUP

Members considered the submission on behalf of the traders from John Dawkins and addressed each point. Officers will report the decisions to John Dawkins under separate cover and ensure the minutes of the MWG are circulated to all traders.

RESOLVED: That the representations from Traders at Agenda item 7(Appendix 4) be noted and responses from the MWG be reported back to John Dawkins in his capacity as Trader liaison.

18. CLEANING OF MARKET SQUARE

Members considered the Deputy Town Clerk's report at agenda appendix 5. Members asked that the updated Terms & Conditions include the request for a cleaning deposit from hirers which would be held until after the booking and returned on the provision that no further cleaning of the square was required as a result of the event.

Officers were also asked to remind all hirers to use protective covering under their stalls and to liaise with Officers at the District Council to ensure diesel generators are not used on the Market Square.

RECOMMENDED: That the report and the update to the Market Square hire terms and conditions be noted.

19. DATE AND TIME OF NEXT MEETING

A date in September to be agreed via email.

**THERE BEING NO FURTHER BUSINESS
THE CHAIR DECLARED THE MEETING CLOSED AT 11.32am**

Markets Working Group 28 September 2023: APPENDIX 1

MARKETS UPDATE

JEREMY WILLIAMS, MARKETS OFFICER/MICHELLE READ, OFFICE ADMINISTRATOR

The Markets Officers continue to seek new and different traders to attend each market when there is availability, with cake stalls proving particularly popular.



Social Media

The Markets continue to have a good following on our social media platforms and this resource is proving valuable in promoting other events taking place on the Market Square as well as advertising pitch availability.

The data below indicates the number of followers on Facebook and the newly established Instagram account. Numbers are being tracked to establish the most effective posts.

Facebook followers ⓘ

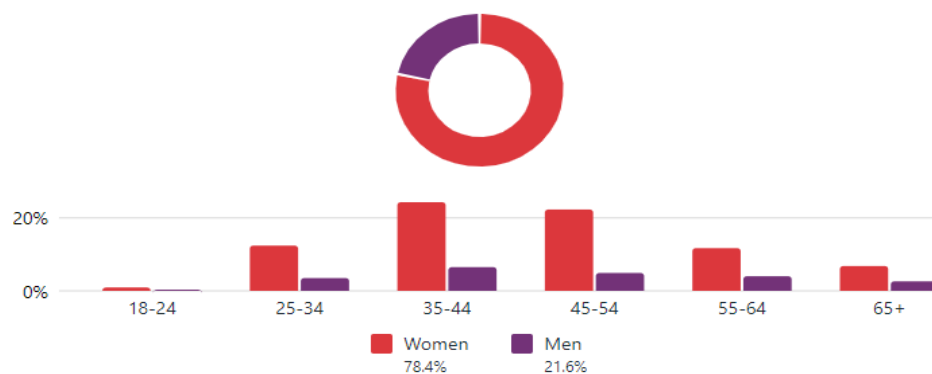
3,334

Instagram followers ⓘ

53

Age & gender ⓘ

Age & gender ⓘ



To protect the privacy

Tuesday Market Update

Since the last report to members three new traders have started on the Tuesday market, *Ryan James Butchers*, *Mad Bags* and *Fab Cakes*, all of whom have proved popular and already gained a good customer following.



As a result, there are now only three weekly pitches available. In addition, *Funky Foods* has chosen to only stand biweekly to allow time to prepare for Christmas and *Atterbury's Inspiration* has become a permanent trader. Enquiries are still being received so it is hoped that the remaining available pitches will be filled as soon as possible.

Due to the predicted high winds (40 miles per hour) on Tuesday 19 September for safety reasons traders were informed that they could trade from vehicles. Those who elected not to trade were not charged arrears. Unfortunately, only one trader decided to brave the inclement weather and then subsequently left after an hour due to the lack of footfall.



Friday Market Update

There is only one pitch available on the Friday Market which is currently being made available for Saturday traders who are considering trading on both days. A new trader has also used the pitch as a pop-up stall for *Neal's Yard* natural cosmetics. The popular stall *Athens Street Food* is hoping to return to the market at the end of September.



Saturday Market Update

The Saturday market remains full. Officers are constantly updating the list of traders that are prepared to cover at short notice due to absence and holidays. This is working well, enabling the Saturday Market to remain full enhancing the footfall into the city and improving opinions of the Market as a whole.

Vegan Market

The Vegan market is held on the third Sunday of the month and with 22 stalls this market is increasing in popularity. Dates for 2024 have already been confirmed.

Producer Market

The Producer's Market, operated by CJ Events continues to be held on the first Sunday of the month and is now established as a regular event. It is well supported by traders who report a high number of returning customers. Dates for 2024 have been confirmed.



Food Festival



The Food Festival held in August caused some issues with our regular Saturday traders many finding it challenging dealing with the Festival's security when trying to gain access to the City, in spite of having permits. Traders report that some of their regular local customers did not attend and due to the inclement weather, members of the public chose to use their stalls as shelter to consume festival food.

On the Saturday of the Festival, ten permanent traders chose not to attend resulting in a £381.35 loss of revenue. Officers were able to cover six of the pitches with casual traders from Tuesdays and Fridays which helped offset some of the rent loss to the value £175.52, resulting in an overall loss of revenue of £205.83 for the day.

Members were informed by the Deputy Town Clerk that the Festival had a total of 25 stalls along Minster Pool Walk which was over and above the approved and pre submitted plan. As per Council resolution, sanctions were imposed, and the organisers charged double the hire charge for the breach.

In addition, the ice cream van had to be relocated from Speakers Corner to the Market Square, the organisers of the Festival claiming not to know that Speakers Corner was City Council land when using it for their traders.



As usual the event saw large numbers attending however Officers were aware of certain bottle necks around the City, including outside the Samuel Johnson Birthplace Museum who (based on previous experience) elected to close for the weekend.



The available space on the Saturday Market allowed Lichfield District City of Sanctuary for Ukraine Independence Day to attend. They provided Ukraine items for people to try and buy, raising the profile of the support that is on offer.

Rent Incentive for non-attendance.

The trial for the rent incentive in which traders pay 75% of the arrears upon giving adequate notice of absence commenced on 17 July 2023. To date only two traders have taken up this incentive and benefitted from the reduction.

Officers will continue the trial and keep members informed.

Market Square Deep Clean

The deep clean of the market square to remove grease and oil marks left by the Vegan market has been rescheduled to October. This is due to the inclement weather on the scheduled day of cleaning and the availability of two consecutive days required to complete the work. Tentative dates of 4 & 5 October and 11 & 12 October have been set; however, this will be dependent upon weather conditions.

Once completed, stall markers will be reinstated to help traders stay within their permitted area.

Holiday Allowance

As previously agreed, traders are now able to transfer their holiday allowance from any day that they stand. This has been welcomed by the traders as it not only helps them use up their holiday days but also avoids arrears building up.

Gazebo Hire

Currently there are no new traders who need to make use of the Gazebo hire. All current traders have their own gazebo. Any new traders are made aware of the gazebo hire facility.

Tamworth 'pop up shop' scheme update

At the previous meeting Officers were asked to explore the possibility of *Pop-Up* stalls as a similar scheme had been run by Tamworth Borough Council.

Upon investigation it was found that this was the result of a national competition run by the NMTF to find young entrepreneurs. Part of the prize for the winners was to have a market stall in their area and Tamworth was one of the winners, unfortunately no further information was available as Tamworth market is operated by a private company.

Work is ongoing to determine if an online booking system would be a viable option to pursue.

All Licences have been signed and PLI checks have been completed to ensure these are current and up to date.

Officers are trying to contact LDC to discuss the issue of diesel generators and establish the protocol for their use.

RECOMMENDED: That the report be noted

Markets Working Group 28 September 2023: APPENDIX 2

ELECTRICITY CHARGES - INTERNAL AUDITOR REVIEW

The Internal Auditor carries out various audits of council functions across the year and has identified that the current electricity charge levied on Traders does not cover the amount of electricity used. The cost of electricity has increased considerably over the past couple of years or so – 100% for 22/23 and a further 30% for 23/24, with no increase in the charge to traders.

For the purposes of the Internal Auditor's table below, the standing charge has been removed – only used electricity is included. For other market square functions such as the Bower Fair, electricity readings are taken at the start and end of the function and invoices issued for electricity used at the prevailing rate – the 'Actual KWh Charge' column in the second table below.

ENERGY USAGE - MARKET FEEDER PILLER

Year		KWH	Rate	% increase	Total Cost
2021/22	Actual	6665	0.150410	-	£1,002
2022/23	Actual	7547	0.300460	100%	£2,268
2023/24	Estimated	7793	0.391300	30%	£3,049

ELECTRICITY SERVICE CHARGE

Year		Actual KWh Charge	No Connections	Service Charge	Total Income
2021/22	Actual	0	324	£673	£673
2022/23	Actual	£40	512	£1,065	£1,105
2023/24	Estimated	£100	661	£1,375	£1,475

ELECTRICITY SERVICE CHARGE SUMMARY

Year		Energy usage cost	Energy Service Charge	Net Variance
2021/22	Actual	£1,002	£673	£329
2022/23	Actual	£2,268	£1,105	£1,163
2023/24	Estimated	£3,049	£1,475	£1,574

Internal Auditor's Note: To break even, the current charge of £2.08 (£2.50 including VAT) should increase to £4.46 (£5.35 including VAT) based on 661 Connections; this is a 114% increase.

The increase to breakeven point is significant and would likely be met with considerable resistance from Traders who use electricity; currently three Traders on a Tuesday, four on a Friday and two on a Saturday.

A further issue is that LCC does not differentiate the load of the relative devices or their frequency of use during the day – the same charge for electricity being made for a (for example) 2kw appliance active all day as would be made for a 50w appliance active only sporadically. It would however be extremely difficult to accurately charge per device for electricity used - each feeder pillar socket is not individually metered.

Lighting

One area of particular concern is lighting. Prior to the council ceasing to provide its own stalls, LCC lighting was provided across stalls during the winter months when both early and late trade takes place in semi-darkness. Traders now provide their own lighting but may justifiably baulk at a daily charge of more than £5.00 to provide light, when the council as market operator has a health and safety responsibility to the traders and customers using the Square. The MWG may wish to consider an exemption to the charges for lighting that enhances visibility - rather than simply illuminates items offered for sale - during winter months.

RECOMMENDED: The MWG to:

- 1. Consider whether it wishes to amend the amount charged per appliance for electricity.***
- 2. Decide upon any agreed revised cost, implementation date etc.***
- 3. Decide upon any exemption from the charge for lighting.***
- 4. Make a corresponding recommendation to Council.***

Markets Working Group 28 September 2023: APPENDIX 3

GENERAL MARKET RENTS 2023-2024

1. Market Square Rents/Pitch Fees – General Markets

	Pitch Fee 10' x 10' (£)	Service Charge inc VAT (£)	Total Charge (£)
Tuesday Market	19.05	2.00	21.05
Friday Market	19.05	5.00	24.05
Saturday Market	19.05	5.00	24.05
Casual Traders - Tuesday Market	20.86	2.00	22.86
Casual Traders - Friday Market	20.86	5.00	25.86
Casual Traders - Saturday Market	20.86	5.00	25.86

Additional Charges: Electricity (per appliance): £2.50 (inc VAT)

Parking: £2.50

2. Market Square – Commercial Hire

Type of Hire	Cost (£)
Private/commercial whole square	210.00
Private/commercial half square	157.50
Private/Commercial promoting public services	57.50
Voluntary/charitable organisations for fundraising events	10.50
Large Commercial Event (plus £500/day deposit)	420.00
Private/Commercial daily pitch fee per Vehicle	26.25

Additional charge of £20 per stall when part or all of the square is to be sub-let by hirer to more than two stallholders (the first two sub-lets being included in the relevant commercial hire rate set out above).

3. Pool Walk – Commercial Hire (based on approved stall layout)

Type of Hire	Cost (£)
Hire of the whole open space per 10'x10' (or approximate equivalent) pitch, subject to a minimum of £100.00	10.50
Hire of an individual 10'x10' (or approximate equivalent) pitch within the open space - Commercial	15.75
Hire of an individual 10'x10' (or approximate equivalent) pitch within the open space - Charities	10.50

4. Gazebo Hire

Type of Hire	Cost (£)
Gazebo and Weights - Rent per occasion	5.00
Surety deposit – must be a cheque which will be held and only cashed if the gazebo is found to be damaged beyond reasonable wear and tear	250.00
Purchase price of Gazebo	As per invoice inc VAT