

For Council: 13 March 2023 APPENDIX 3

Lichfield City Council

Minutes of the Meeting of the Markets Working Group (MWG) held via Zoom. on Tuesday 28 February 2023 at 10:00am

PRESENT: Councillors J Checkland (Chair), P McDermott, D Robertson, and M Warfield.

IN ATTENDANCE: C Read (Markets Officer), S Thomas (Deputy Town Clerk), C Read (Markets Officer), A Briggs (Town Clerk).

APOLOGIES: Councillor C Spruce, Michelle Read (Office Administrator).

34. DECLARATIONS OF INTEREST AND REQUESTS FOR DISPENSATION

None.

35. MINUTES OF PREVIOUS MEETING

RESOLVED: *The Minutes of the MWG meeting held on 11 January 2023 be confirmed as a correct record [Minutes adopted by Council on 23 January 2023].*

36. MATTERS ARISING FROM MINUTES

None

37. MARKETS UPDATE

The Working Group discussed the Markets Officer's report at agenda Appendix 1 and thanked the Markets Officer and Office Administrator for a full and informative report. Councillor Robertson commended the Markets Officer for the strong engagement on social media the Council now has.

RESOLVED: *That the report be noted.*

38. ADVERTISING AT LCC BUS SHELTERS

Members considered the brief agenda report giving an update on the status of the new posters for bus shelters and the Market Square; the posters being in situ on the Square and are being installed at bus shelters W/C 27 February 2023

RESOLVED: *That the report be noted.*

39. CASUAL TRADERS

Members considered the agenda report compiled by the Markets Officer, Office Administrator and Deputy Town Clerk regarding the trial amendments to the Casual Trading Policy that had been in place since 16 December 2022 and scheduled to end on 6 March 2023. The Markets Officer informed members that the general consensus of opinion amongst casual traders was that a 10 % uplift in rent was not a significant financial incentive to become a permanent trader.

It was therefore proposed by Councillor McDermott that the casual pitch fee be increased to 15% to incentivise casual traders to become permanent licence holders with all the

associated benefits. It is hoped that this increase would not alienate existing permanent traders

In addition, it was proposed by Councillor D Robertson and seconded by Councillor M Warfield that the number of times a casual trader is permitted to stand be increased to 36 times per year across all three markets.

The change in casual trading conditions to commence on 1 April 2023 for a trial period of six months to 1 October 2023 with members of the MWG given updates in the interim period by the Markets Officer.

RESOLVED: That the report be noted.

40. PERMANENT TRADERS – NON-ATTENDANCE

The Working Group considered the Town Clerk's agenda report which followed consideration of this issue by the MWG at its January meeting. The report detailed the issues arising with a prescriptive link between non-attendance and the existing disciplinary procedure, notably in regard to fair and effective policing of any such policy. It was agreed that a 25% reduction in arrears should be applied to permanent traders who complied with giving 48 hours' notice of non – attendance (subject to some conditions) and that the markets officer would monitor the compliance of the scheme for a trial period.

RECOMMENDATION TO COUNCIL:

- a) ***That if Traders advise of their intention not to attend a given market more than 48 hours before the start of that market (assumed start time 9.00am), they will be charged 75% arrears if their stall is not covered by a casual trader (£0 charge if the stall is covered, as is usual practice). The notification to be by text, email or similar method that allows independent verification. Verbal communication would be unacceptable.***
- b) ***Such an incentive to be 'under review' by the MWG, rather than being introduced as a permanent provision***
- c) ***When Traders do not give the requested 48 hours' notice, the Markets Officer to record the reasons given for such absence, and to report those absences to the Town Clerk/Deputy Town Clerk if concerns arise; the Markets Officer to cite reasons for Trader non-attendance and provide supporting evidence in those discussions. If in agreement, the Town Clerk/Deputy Town Clerk to informally advise the Trader of concerns as to their attendance record.***
- d) ***Formal sanction to be issued where this approach is ineffective and absences continue (written warning, suspension) in line with the City Council's disciplinary procedure.***
- e) ***In extreme situations where none of the above is effective and revocation of licence is considered, the matter to be referred to the Markets Working Group to act as arbiter in deciding whether revocation of licence should take place.***

41. GAZEBOS FOR CASUAL TRADERS

Consideration was given to the possibility of the City Council purchasing one or more gazebos that could then be hired to casual traders. It was felt that such availability may encourage new and seasonal traders to the market. It was agreed that Officers establish the logistics of storing and hiring the gazebos and that the casual trader would be liable for the safe erection of the Council's equipment when renting a pitch.

RECOMMENDATION TO COUNCIL:

- a) *That the City Council purchase up to three Gazebos, weights, and trolley. Assuming three gazebos were eventually purchased with associated weights etc, the cost (at current levels) would not exceed £2,100.*
- b) *That delegated authority be given to the Town Clerk to determine the hire price of the gazebo.*
- c) *That a surety deposit be taken from the casual trader prior to the hire of a gazebo and returned to the trader at the end of the hire period only if the gazebo was still in good order.*

42. MARKET SQUARE STALL LAYOUT & 1 METRE GAP BETWEEN STALLS

Following detailed measurement of the Market Square, the Markets Officer gave a verbal update on the configurations available. The 1 metre gap had been introduced during the pandemic and, on canvassing, traders have appeared reluctant to lose this space as it enables them to effectively trade from three sides. The markets officer confirmed that the closing of the gap would only allow one extra stall to be included in the general market set up. Members noted the complaints that had been received regarding the benches on the market square being inaccessible on market days; the Markets Officer confirmed that pitch locations could be adjusted to resolve this issue.

RESOLVED: That the 1 metre gap between stalls remain in place and that all pitches currently having a bench contained within them be re-sited to allow access to the benches by members of the public.

43. TRADER REPRESENTATION ON THE MARKETS WORKING GROUP

Consideration was given to the appropriateness of inviting market trader/s to sit on the MWG. The Town Clerk confirmed that any such representation should not include voting rights (such rights being the preserve of duly elected, appointed and accountable members of the committee). It was agreed that a representative from the permanent Market Traders could attend the MWG meetings and noted that in all cases this should be the licence holder. It was stated that traders may choose to elect several representatives that could rotate their attendance at the MWG .

RECOMMENDATION TO COUNCIL: That the Markets officer ask Traders to select a permanent trader to act as representative on the MWG (such a representative must be the licence holder) and that the Markets Officer invite this trader to attend the next MWG via Zoom. Traders to decide whether they wish to nominate several traders who could attend on a rotation basis, but only one trader to attend each meeting.

44. DATE AND TIME OF NEXT MEETING

Scheduled for 10.00am Thursday 1 June 2023 via Zoom

45. ANY OTHER BUSINESS

Councillor J Checkland enquired if there were any imminent bookings for Pool Walk and the Market Square particularly on the weekend of the Coronation. Officers reported that enquiries had been received for the Market Square regarding dates for the reinstatement of the Wednesday Grub Club but at this present time no confirmation from the hirer had been received.

THE CHAIR DECLARED THE MEETING CLOSED AT 11.16