



## URGENT DELEGATED DECISION

Date: 29 May 2020

**Request to the Head of Paid Service to exercise delegated authority as per Responsibility of Functions in Part IV, page 28 of the Constitution.**

**“to determine any matter within the referred or delegated powers and duties of a committee / sub committee / board / working which is so urgent that a decision must be made before the next meeting of that committee / sub-committee / board / working group is due to be held.”**

Limits on delegation: -

- Before making a decision using this delegated power, The Head of Paid Service shall consult with and take cognisance of the views of the Chairman (or in his absence the VC) of the relevant Committee / Sub-Committee etc; and
- Any decision taken by the Head of Paid Service under this delegated power shall be reported to Members within five working days of the decision taken.
- During the COVID-19 Pandemic we have also committed to consult with the Leader of the Opposition on such

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**Usual Decision Maker: -**

This decision would have been taken by Prosperous Communities Committee / Corporate Policy and Resources Committee.

This decision needs to be made and implementation commence, , before these Committees are due to meet.

The decision is in response to changing Governance guidance and announcements relating to the easing of lockdown measures and economic recovery phases

Call-in does not apply.

### **Background**

The background to this decision is as detailed in the report titled “**Charges for Gainsborough Market**” which is appended to this decision.

## **Reason for Urgency and Rationale for use of urgent Delegated Decision**

In light of the current COVID 19 situation, and in response to changing Governance guidance and announcements relating to the easing of lockdown measures and economic recovery phases, markets will be permitted to fully re-open from 1<sup>st</sup> June (subjecting to meeting social distancing requirements)

It is important to both the local economy and traders that the market is in a position to open and operate at the earliest opportunity and that consideration is given to measures which both encourage traders to return and recognise that most traders are unlikely to have benefitted from any of the Governments' business grants.

An urgent decision is therefore required in order to allow for the market to open at the earliest opportunity.

The full rationale for the decision is contained with the report which is appended.

## **Financial Detail and Implications**

### **FIN/DD/3/21/TJB**

Full financial details and implications are contained within the appended report.

## **Notes of Consultation Relevant to the Decision**

Firstly, it was noted that due to having to purchase additional signage, PPE and undertake additional risks assessments, the Market would not be in a position to open by 2 June, as advised in the report, the target date now being 9 June. Consultation had commenced with Traders around social distancing measures and these approaches had been positively received.

All were fully supportive and encouraged by the proposal to offer free rent to existing and new traders on the Gainsborough Market until 1<sup>st</sup> April 1, 2021 as well as free rent to Farmers Market traders until 1<sup>st</sup> April 2021.

All were fully aware of the partnership arrangement delivering the Farmers' Market, with rental charges being split between the two organisations and were advised of the partners current view on suspending their proportion of the charge.

Officers would continue to negotiate this position. The Leading Members offered their views on what course of action should be taken if negotiations were unsuccessful. The financial impact of this alternative was shared. The consensus being, that the outcome outweighed the additional financial costs

However, in the event that the Authority did incur additional costs, as a result of adopting a revised approach, pending the outcome of negotiations, this element of the decision would not remain in place until April 2021 and would need to be reviewed every three months.

**Decision**

**Until 1<sup>st</sup> April 2021 rent to existing and new traders on the Gainsborough Market will be free of charge.**

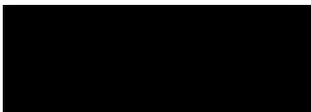
**Until 1<sup>st</sup> April 2021 rent to Farmers Market traders will be free of charge.**

**Negotiations with the partner will continue in accordance with the discussion held during the consultation meeting and in the event that the Authority does occur additional costs as a result of having to adopt a revised approach, this element of the decision will not remain in place until April 2021 and will be reviewed every three months.**



.....  
Ian Knowles  
Head of Paid Service

As the Chairman of the Corporate Policy and Resources Committee I have been fully consulted on this matter



.....  
Leader of the Council

As the Chairman of the Prosperous Communities Committee I have been fully consulted on this matter



.....  
Chairman of the Prosperous Communities Committee

As the Leader of the Opposition I have been fully consulted on this matter



.....  
Leader of the Opposition.

Date all Members were notified of the decision: 5 June 2020



**Concurrent Chairs Briefing  
Head of Paid Service DD**

**Friday 29 May 2020**

**Subject : Charges for Gainsborough Market**

Report by:

Chief Executive

Contact Officer:

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Purpose / Summary:

To consider charges for stalls on Gainsborough Market in post-lockdown period

**RECOMMENDATION(S):**

Officers recommend offering free rent to existing and new traders until 1<sup>st</sup> April 1, 2021.

Officers recommend offering free rent to Farmers Market traders until 1<sup>st</sup> April 2021.

## IMPLICATIONS

**Legal:** The agreement allows WLDC to waiver 'rent' all other conditions remain. Traders would still be required to commit to the same agreement / T & Cs.

**(N.B.) Where there are legal implications the report MUST be seen by the MO**

### **Financial : FIN/DD/3/21/TJB**

The overall budget for stall fees is £35,000 therefore there will be a pressure on the markets budget if stall fees were suspended until April 2021.

This initiative is part of our Covid-19 recovery plan in getting the market, town centres and thus the local economy back into business safely.

We have received £1.001m of funding to help support covid-19 impacts, albeit this falls short of our estimated additional costs and income losses. Therefore we will continue to lobby government for additional funding. Any shortfall in funding will need to be met from the General Fund Working Balance.

### **Staffing : N/A**

**(N.B.) Where there are staffing implications the report MUST have a HR Ref**

**Equality and Diversity including Human Rights :** The policy would be applied equally across all traders on the general market. Supporting the continuation of the market may assist particular groups within the community who are unable to travel further afield for supplies.

*NB: Please explain how you have considered the policy's impact on different groups (for example: young people, elderly, ethnic minorities, LGBT community, rural residents, disabled, others).*

### **Data Protection Implications : N/A**

### **Climate Related Risks and Opportunities: N/A**

**Section 17 Crime and Disorder Considerations:** Social distancing requirements will be considered as part of wider town centre recovery works. These will be kept under review as government measures are flexed in response to infection levels.

**Health Implications:** Adherence to social distancing requirements will be considered as part of wider town centre recovery works.

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

**Risk Assessment : Social distancing requirements and enforcements**

**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**

**Key Decision:**

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

**Yes**

**No**

## 1 Introduction

1.1 Gainsborough Market was closed following the announcement of Lockdown in the UK. Following further Government advice, the Market re-opened on 28-3-2020, however in line with Government restrictions, only traders selling food and pet food have been allowed to trade.

1.2 It is expected that markets will be allowed to fully reopen from 1<sup>st</sup> June. Officers are working to try to ensure Gainsborough Market can be operational for the scheduled market on 2nd June, including ensuring social distancing measures are in place and cleansing regimes are in place to protect staff, traders and visitors.

1.3 It is likely the number of stalls available for traders will be reduced in order to ensure the safe operation of the Market. It is proposed that stalls are allocated on a first come, first served basis, with registered traders having priority, then casual traders and finally new traders. The Team Managers decision will be final and all the usual Terms and Conditions will continue to be used.

1.4 The Team Manager responsible for the Market has engaged with market managers in surrounding districts and identified that a range of approaches to reopening are being adopted.

## 2 Charges

2.1 One approach which may encourage traders to return to the Market would be to make the rental charge free for a period of time. Most market traders are unlikely to have benefitted from any of the Governments' business grants and would also be unlikely to qualify for Universal Credit or other benefits.

2.2 The table below shows the potential financial implications of waiving charges, this table presumes attendance rates are the same as 2019/20. Given social distancing restrictions, it is highly unlikely that this level of attendance could be achieved, consequently actual losses would be less than shown, however the pressure within existing budgets would be as identified;

<b>Free rental period</b>	<b>Maximum Cost to Council</b>
Free rent for three months	£8,750
Free rent for six months	£17,500
Free rent until April 2021	£35,000

## 3 Farmers Market

3.1 The Farmers Market normally located on Market Street has been suspended since lockdown. It would be beneficial to the town centre economy if this market became operational again. Given the challenges around social distancing, it is recommended that the Farmers Market is relocated to the Market Place until reasonably practicable to move it back.

3.2 It may also be reasonable to offer free rent to these traders in order to attract them back to the event. The Market is jointly delivered in partnership with Marshalls Yard and rental charges are split between the two organisations. Initial

conversations with Marshalls Yard indicate [REDACTED]

[REDACTED]

[REDACTED]	[REDACTED]	[REDACTED]

#### **4 Recommendation**

4.1 Officers recommend offering free rent to existing and new traders until 1<sup>st</sup> April 1, 2021.

4.2 Officers recommend offering free rent to Farmers Market traders until 1<sup>st</sup> April 2021.