



PART A:	MATTERS DEALT WITH UNDER DELEGATED POWERS
REPORT TO:	COMMUNITY SERVICES COMMITTEE
DATE:	26 NOVEMBER 2009
REPORT OF THE:	HEAD OF ENVIRONMENT PHIL LONG
TITLE OF REPORT:	EXTERNAL REVIEW OF PICKERING AND HELMSLEY MARKETS
WARDS AFFECTED:	PICKERING AND HELMSLEY

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 To advise Members of the National Association of British Market Authorities (NABMA) report on Pickering and Helmsley Market and seek endorsement of actions taken in response to it.

2.0 RECOMMENDATION

- 2.1 It is recommended that:

- (i) The actions taken in response to the report outlined in 8.3 are endorsed

3.0 REASON FOR RECOMMENDATION

- 3.1 The Council works in partnership with the local community and should strive to ensure that the Markets that are a major attraction for the towns continue to thrive.

4.0 SIGNIFICANT RISKS

- 4.1 No significant risks have been identified.
- 4.2 Subsequent to the NABMA report an Internal Audit has been undertaken of Ryedale District Council's Markets, which concluded that the controls and systems in place were good. There were no issues of sufficient concern as to warrant specific comment other than consideration should be given to the NABMA report.

REPORT

5.0 BACKGROUND AND INTRODUCTION

- 5.1 Both Pickering and Helmsley Market are managed by Ryedale District Council. Pickering Market operates on a Monday and stallholders erect their own stalls along the Market Place. The Market Place is now closed to traffic on market days during the period of the market, other than for access and emergency vehicles. Helmsley Market is held on a Friday and used to have the stalls erected by the Council, but following closure of the Helmsley depot and the increasing cost of this function traders were required to provide and erect their own stalls from April 2008. As a good will gesture and to assist in the transition any stallholder requiring a stall was sold one at a subsidised cost. The transition worked well without the Council losing a single trader.
- 5.2 Following representations regarding local markets from the Five Town Councils meeting, the Council joined the National Association of British Market Authorities (NABMA). Membership of NABMA entitled the Council to a half-day health check of its markets. The visit was delayed until the question of the future of Malton Market was decided.

6.0 POLICY CONTEXT

- 6.1 Council Plan 2009-2013
Aim 2 - To create the conditions for economic success in Ryedale.
Strategic Objective 3: Place of opportunity- to have the economic structure and supporting infrastructure in place.

7.0 CONSULTATION

- 7.1 Initial consultation on the day of the visit was undertaken with the Clerk to Pickering Town Council. A copy of NABMA's report was sent to all District Councillors in Pickering and Helmsley wards, with the exception of Councillor Woodward, who was inadvertently missed from the original circulation list, but has subsequently been sent a copy as has newly elected Councillor Cowan. Copies were also sent to Pickering and Helmsley Town Councillors and to number of relevant officers in the Council.
- 7.2 Only one response has been received to the report, from Pickering Town Council. Their response is available in Annex C

8.0 REPORT DETAILS

- 8.1 Prior to the visit by NABMA a questionnaire was completed which forms part of the final report. The visit by NABMA was to Pickering Market, but the conclusions and recommendations in the report also have relevance to Helmsley Market. The Market visit took place on Monday 8 June 2009 and involved Krys Zasada from NABMA, Health and Environment Manager and Principal Environmental Health Officer. An initial meeting was held with the Town Clerk to Pickering Town Council on issues relating to the Market. The Market was then visited and Mr Zasada had the opportunity to speak to Councillor Cowling, Chairman of Community Services Committee.
- 8.2 The report concludes that the Markets have been run in a similar manner for many

years, hopefully to the general satisfaction of the traders. When Helmsley and Pickering Markets were put out to tender in 2004, the traders wanted the Council to continue to retain control.

8.3 A copy of the report is available in Annex B. It has specific conclusions and recommendations comments on which are detailed below:

- **Market Rights** – Market Rights are rights granted to the market authority by a charter and give the holder rights to hold a market and also potentially restrict other markets within the vicinity. It is understood that there are moves to do away with these rights particularly if they are perceived to infringe competition laws detailed in the EU Services Directive. Since receiving the NABMA report the Council's Legal Services have been asked to investigate the implications of the Market Rights for both Markets and the implication of the EU Services Directive on those Rights.
- **Encroachment** – Ensure the traders do not encroach onto the pavement. Although the Market Place is closed during the trading of Pickering Market, access has to be retained to the road for emergency vehicles and traders vehicles loading and unloading. By asking stallholders to move back from the footpath edge this presents a trip hazard, therefore the recommendation that traders do not encroach onto the pavement is accepted. Although traders have been advised of the requirement this will be reinforced particularly at "pinch – points at the Market and during the summer months when congestion can be at it's highest.
- **Retail Offer-** NABMA recommends a research project be undertaken to identify the demographic profile of the customer base. This would be a costly exercise and not necessarily lead to a change of retail offer on the Market. At present the retail offer is controlled by ensuring that a range of goods are offered on the Markets and that duplication is reduced as much as possible within the terms of fair trading. Which stalls are successful will depend on market forces and as such is demand driven, whether it be by local residents or tourists. There is no doubt a seasonality affect as with any outdoor market but the Market must provide for both Tourist and local residents alike. Despite the present down turn in the general economy, Pickering Market is full and has been for a number of years as is Helmsley Market during the summer and on the lead up to Christmas.
- **Marketing** – Install signage for the Market around the town. Both Markets are advertised on the free tourist maps for Pickering and Helmsley and thousands are given away free at the Tourist Information Centres each year. It is acknowledged that the information available on the Council's website regarding markets required updating. Improved information is now available on the website and incorporates information on Kirkbymoorside and Malton Market. Street Scene have been liaising with Pickering Town Council over the signage for the Car parks for visitors to the town and Economy and Community Services are liaising with the Town Council on the provision of information signs around the town which will incorporate information on the Market.

9.0 IMPLICATIONS

If the recommendations of this report are followed then the Council may reasonable expect both Helmsley and Pickering Markets to continue to thrive attracting customers from both Ryedale and further afield.

- a) **Financial:** In their report NABMA recommends a research project be undertaken to identify the demographic profile of the customer base. This would be a costly exercise and not necessarily lead to a change of retail offer on the Market and has not been recommended by Officers. A small budget is available for the

provision of information signs around the town to promote the market.

- b) **Legal:** Legal Services have been asked to investigate the implications of the Market Rights for both Markets and the implication of the EU Services Directive on those Rights
- c) **Others:** No other significant implications are apparent

Phil Long
Head of Environment

Author: Steven Richmond, Health and Environment Manager
Telephone No: 01653 600666 ext:247
E-Mail Address: steve.richmond@ryedale.gov.uk

Background Papers:
None

Background Papers are available for inspection at:
N/A