

PRESENT:

North Ward:

Councillor D Bushby

East Ward:

Councillor Mrs J Gubb

Councillor J McKenzie (Town Mayor)

South Ward

Councillor S Inch

West Ward

Councillor C Hawkins (Chairman)

IN ATTENDANCE:

Mr R Coombes (Deputy Town Clerk)

Councillor P Christie

Councillor K Hind

Councillor A T Inch

Councillor Lawrence

4 x Tenants

2 x Public

Prior to the start of the Meeting Councillor Christie observed that not all documentation was available to the non-Committee members. The additional documentation was copied and circulated to the members of the public.

26. APOLOGIES FOR ABSENCE

Councillor Mrs L Hellyer (East Ward – personal).

27. DECLARATIONS OF INTEREST AND ANY REQUESTS FOR DISPENSATION ON ITEMS ON THE AGENDA

There were no declarations of interest.

28. PUBLIC PARTICIPATION SESSION OF 15 MINUTES DURATION

A member of the Public advised that they were shocked at not being able to trade in the Market Hall in December, having previously had the opportunity to trade once in December 2022. There appeared to be no point of contact noting that there only appeared to be a market held on occasional Saturdays. The limited market offer deprived people trading opportunities during the cost of living crisis.

Both Councillors Bushby and Mrs Gubb explained the Councils change in policy to address the failing market (trading take up / offer) and the intention to promote the venue for Events / hire.

The Clerk noted that the Hall is being hired on 9 December to provide for a Christmas Market, had advised the public member and subsequently, once detail was available, provided the member with a link to book a stall (although not taken up). He had also provided them with detail of further market trading opportunity, on 16 December 2023 again, as a result of the Hall being hired.

A second member of the public, who had recently moved to the area, intimated that incorrect and confusing detail was being promoted on the Bideford Pannier Market website.

The Chairman, who runs the Site, indicated that he would update the information.

Councillor Christie counselled a check on the lease in relation to the hiring of the Hall where conditions often do not allow for sub-letting. It was noted that the Hall has been hired for many years by organisations including the Kenwith Company of Archers and the Annual Flower Show.

Discussion followed on footfall concerns, poorly attended markets and impact upon traders.

29. MINUTES

Proposed by Councillor McKenzie and seconded by Councillor Mrs Gubb, the Minutes of the Meeting held on 6 July 2023 were approved and signed as a correct record.

(Vote – For: 5, Against: 0)

30. ACCOUNTS

It was proposed by Councillor S Inch and seconded by Councillor Mrs Gubb, and

RESOLVED: That the lists of payments for 17 August 2023 be approved.

(Vote – For: 5, Against: 0)

31. CHAIRMAN'S / MARKET ADMINISTRATOR'S REPORT

The Chairman advised that he could no longer commit to attending the NABMA Conference, 8 – 10 October, for family reasons.

Members speculated on who could attend should it not be possible to attain a refund. In the event that monies could not be reimbursed attendance at the Conference will be considered at the next Meeting.

32. MARKET MANAGEMENT COMMITTEE STRUCTURE

Members had received, with the Agenda, the present Committee Structure for consideration / updating and inclusion with the to be adopted new Standing Orders.

The Chairman indicated on three occasions that he had not been included in the process of generating the Agenda.

Councillor A T Inch, noting that the Chairman had not received the Agenda prior to its distribution to Committee Members / Council as a whole warned against the Council being "officer led."

Note: Standing Orders 15.b. states:

The Proper Officer shall:

- at least three clear days before a meeting of the council, a committee or a sub-committee, serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda, and

Provide, in a conspicuous place, public notice of the time, place and agenda.

Councillor McKenzie spoke of the effective working relationship he had enjoyed with the Clerk, when Chairman, and could not see why this would not continue.

Discussion continued including the importance of fostering cooperation with tenants in the delivery of projects and initiatives and updating Tenant representation to reflect the whole of the Complex in light of the changes to the Market Hall.

Councillor Hind raised concerns about the process of changing the constitution warning that a legal challenge could be raised.

Councillor Bushby indicated that the item provided the opportunity for the Committee to review and amend the (Market Management) Committee Structure; Council would have recourse to approve and agree the submission for inclusion in Standing Orders (Appendix A – Committee Delegation).

Councillor Mrs Gubb did observe that the item did need to be considered by the Committee Members in addition to the Chairman allowing for discussion by non-Committee Member councillors in attendance.

Proposed by Councillor Bushby, seconded by Councillor Mrs Gubb and

RESOLVED: That the updated Committee Structure (below) is incorporated to the Council's Standing Orders.

(Vote – For: 5, Against: 0)

COMMITTEE STRUCTURE

MARKET MANAGEMENT COMMITTEE

To exercise on behalf of the Council powers and duties within existing policies and practices of general concern to Bideford excluding those matters specifically dealt with by another Committee.

- To be responsible for the day to day management of the Market.
- To promote a sustainable social, environmental and economic regeneration of the Market.
- To promote the Market Hall as an Events facility, encourage Community usage, host Civic and organize standalone markets / functions.
- To foster co-operation with traders and tenants in the delivery of projects and initiatives.
- Committee constituent:
 - o Six Councillors.
 - o Two Market Complex tenants, elected annually via a secret ballot organized by the Market Administrator). Their mandate will be to

provide two way dialogue, canvas opinions(s) and raise concerns to the Committee. Items to be considered for the Agenda must be received by the Clerk, in written form, at least six working days before the next meeting.

o The non-council members have no vote, will not be privy to Part II, but will be regarded as bona fide committee members. (While (list of) contractors may be raised in Part I, financial detail/decision making to be moved to Part II.

- To prepare and recommend to the Council annually, no later than its December meeting, a budget for the following financial year.
- To consider and approve orders and expenditure which are within the Market's existing budget.
- To approve and oversee any contracts or agency agreements entered into by the Council.
- To monitor the financial affairs of the Market and spending against the agreed budget.
- To consider and report to Council matters of a financial nature which may result in write-off of public monies.
- To monitor spending and use of resources to ensure the Council obtains best value.
- To allocate shop units following receipt of applications and interviews with prospective tenants.

33. TENANTS (SCHOOL) CLOTHING INITIATIVE

The Clerk reminded Members of the Clothing initiative that had been running for almost a year.

Councillor McKenzie believed that it was an important opportunity to support the Community.

Whilst Members indicated agreement storage, accessibility, sensitivity and the movement of the Clothing within the Market Hall were discussed.

The Clerk will liaise with the Tenant and Market Officer to establish best practice.

Proposed by Councillor McKenzie, seconded by Councillor Bushby and

RESOLVED: That the Market supports the Clothing initiative.

(Vote – For: 5, Against: 0)

34. WORKING GROUP

Members agreed to arrange a suitable date to convene the Working Group to promote the Market Hall as an Events facility, encourage Community usage, host Civic and organize standalone markets / functions.

35. PART II (CLOSED SESSION)

Proposed by Councillor McKenzie, seconded and

RESOLVED: That in view of the confidential nature of the business about to be discussed, it is advisable, in the public interest, that the public be excluded for the remainder of the meeting; the tenants were instructed to withdraw.

(Vote – For: 5, Against: 0)

36. CHAIRMAN'S REPORT

There was no report.

37. TENANT / TRADER

a. The Clerk advised that the Tenancies had been taken up for 24 Market Place and 20 Butcher's Row yet, whilst the Offer for 17 Butcher's Row had been accepted the successful applicant had not come forward.

Members indicated that if a response had not been elicited within seven days the Clerk and Chairman should establish and make an offer to an appropriate former applicant. The offer to be confirmed at the next meeting.

It was proposed by Councillor Bushby and seconded by Councillor S Inch, and

RESOLVED: That in the event the offer for 17 Butcher's Row is not taken up within seven days the Clerk and Chairman make an offer of the tenancy to a former (appropriate) applicant.

(Vote – For: 5, Against: 0)

b. Councillors Mrs Gubb and S Inch questioned the requirement for public liability insurance and risk assessments when hiring the Hall.

The Clerk explained that it was a pre-requisite for all those trading in the Complex to have Public Liability insurance though the Council has both insurance cover for the building and the Market generally.

Members questioned whether an individual hiring the Hall would have such insurance. The Clerk intimated the Council could not be held accountable for the activities during a privately run event, independent of the Council.

Members requested the Clerk to liaise with the Council insurers to ensure cover fit for the Council needs and question third party cover.

C. Members considered applications for the Hire of the Hall and confirmed their respective rental rates.

38. RETURN TO STANDING ORDERS

Proposed by Councillor McKenzie, seconded and

RESOLVED: That the meeting returns to Standing Orders.

(Vote For: 5, Against: 0)

The business of the meeting having been completed, the Chairman thanked the members for their attendance and the meeting concluded at 7.55 pm.

BIDEFORD TOWN COUNCIL - Pannier Market Accounts as at 17 August 2023				VAT	NET	TOTAL
PV NO		ALLOCATION				
BACS Payments						
1	10/07	R Coombes	Refund Vistaprint - roller banner		97.23	97.23
2	21/07	K Riley	Refund advertising banner / leaflets - 29 Jul 23		88.57	88.57
3	24/07	NABMA Conference	Sunday evening / AGM accommodation payment	22.00	110.00	132.00
4	24/07	G Morgan	Refund deposit less electricity		99.97	99.97
5	11/08	JAG Signs	Discovering Bideford updated overlays	138.96	694.81	833.77
6	22/08	Nicholsons	Cleaning / Hygiene Items	47.19	235.95	283.14
7	22/08	SWEMS	Market Hall promotion - Hall for Hire		55.00	55.00
8	22/08	RGB	Maintenance Items	24.37	121.85	146.22
9	22/08	Tamar Trading	Maintenance Items	2.29	11.46	13.75
10	22/08	DS Electrical	Install LED batten in Market Hall	15.75	78.73	94.48
11	22/08	Encompass Security Solutions	Alarm System Annual Inspection	48.33	241.67	290.00
12	22/08	SWW	Water / sewerage charges		135.03	135.03
13	DD	vodafone	Line Rental (Jul 23)	5.30	26.49	31.79
14	DD	triangle	Line Rental (Jun + Jul 23)	22.72	113.61	136.33
15	DC18	Solopress	Hall for Hire / Info - flyers		33.83	33.83
				326.91	2,144.20	2,471.11
		Bank Balances at 11 Aug 23	- Current Account		9,961.17	
		Bank Balances at 11 Aug 23	- Deposit Account		37,370.38	