
SPECIAL SCRUTINY COMMITTEE

Thursday, 9th November, 2023

Present: Councillor Josh Allen (in the Chair),
Councillors Dominik Allen, Noordad Aziz, Melissa Fisher,
Carole Haythornthwaite and Kimberley Whitehead (substituting for Mike
Booth) and
Co-optee: Mr Shahed Mahmood

In Attendance: Councillors Loraine Cox, Munsif Dad BEM JP, Marlene Haworth, Zak
Khan, Colin McKenzie and Mohammed Younis

Apologies Councillor Mike Booth

The Chair, Councillor Josh Allen, welcomed everyone to the meeting and reminded all present that members of the public could be filming proceedings. He indicated that he might be minded to take questions from members of the public if time permitted. However, one group of questions submitted in advance had been rejected as the tone of the e-mail had been aggressive and the questions had been prefaced by unsubstantiated claims.

204 Apologies for Absence and Substitutions

Apologies for absence were submitted on behalf of Councillor Mike Booth. Councillor Kimberley Whitehead was present as his substitute.

205 Declarations of Interest and Dispensations

Councillor Melissa Fisher declared a personal interest in agenda Item 6 - Leisure Transformation Update, in the light of her appointment to represent the Council as a non-voting member of the Board of Hyndburn Leisure.

There were no dispensations notified.

206 Minutes of the last Meeting

The minutes of the last meeting held on 12th September 2023 were submitted for approval as a correct record.

The Chair indicated that the name of co-optee Mr Shahed Mahmood had been omitted in error from the list of those present at the meeting

Councillor Whitehead reported that the names of Councillors Aziz, Booth, Fisher and Haythornthwaite had been duplicated incorrectly in the section recording the co-optees present.

- Resolved**
- **That subject to the following amendments in the section recording co-optees present at the meeting:**
 - (a) **the addition of the name “Mr Shahed Mahmood”; and**

(b) the deletion of the names “Noordad Aziz, Mike Booth, Melissa Fisher and Carole Haythornthwaite”,

the minutes of the Special Scrutiny Committee meeting held on 12th September 2023 be received and signed as a correct record

207 Chairs Update

The Chair provided a short verbal update on two matters. At the meeting in July, Councillor Noordad Aziz had recommended that the Council consider extending the remit of the Committee to include other town centres. That proposal had been approved last week by the Council. In addition, the Council had agreed to add Leisure Transformation and the Local Plan (which were on today’s agenda) to the terms of reference of this Committee.

The Chair invited further questions or comments from the Committee on the above update. Councillor Aziz moved the establishment of a task and finish group to conduct a review of potential investment opportunities in other townships outside of Accrington Town Centre.

Resolved

(1) To note the update report provided by the Chair in respect of the Committee’s agreed terms of reference.

(2) To approve the establishment of a task and finish group to conduct a review of potential investment opportunities in other townships outside of Accrington Town Centre.

208 Local Plan Update

Members considered a report which provided an update on the key matters relating to the emerging Local Plan, comprising information on:

- a) the preparation of the emerging Local Plan up to now;
- b) the next steps, including likely the need to re-consult at Regulation 19 stage.

The Leader of the Council, Councillor Marlene Haworth, was in attendance to introduce the report, but apologised that she was not in a position to answer any detailed questions on the technical content.

The report indicated that work had reached an advanced stage in the preparation of the new Local Plan for Hyndburn. Once adopted, the new Plan would replace the saved elements of the 1996 Local Plan and the 2012 Core Strategy. The two key documents representing the Local Plan for Hyndburn would, therefore, become the new Local Plan, which would contain updated Strategic Policies and Site Allocations, and the adopted Development Management Development Plan Documents (DPD) 2018, which contained local (non-strategic) policies. The key stages of the Local Plan adoption process, according to the Town and Country Planning (Local Planning) (England) Regulations 2012 were provided as Table 1 in the report. A summary is as follow:-

- Regulation 18 Preparation (including Public Participation)
- Regulation 19 Publication (including Public Participation) **current stage**

- Regulation 20 Representations on the Local Plan
- Regulation 22 Submission of documents and information to the Secretary of State
- Regulation 24 Independent examination
- Regulation 25 Publication of the recommendations of the appointed person
- Regulation.26 Adoption

The emerging Plan had already been through 3 rounds of consultation as part of Regulation 18 of the process. This stage related to the initial preparation of a Plan, including consulting on alternative spatial strategies and initial site assessments of potential development allocations. The Plan was now at the Regulation 19 consultation stage, which usually preceded the submission of the Local Plan (and all associated evidence base and other supporting material) to the Planning Inspectorate for Examination. The version of the Local Plan consulted on at this stage was intended to represent the settled view of the Council on what the adopted Plan should contain and was also known as the “Pre-submission” or “Publication” Plan. Following the consultation, the Council also needed to submit any representations that had been made to the consultation as well as the Council’s response to the comments (including any further proposed modifications if it had them). The Examination process would usually then begin.

For a variety of reasons, including Covid19, staff departures and recruitment issues, there had been a number of delays in the preparation of the latest Local Plan since the review first commenced. In addition, whilst a Regulation 19 consultation had taken place (between November 2022 and January 2023, following Member approval to consult at the March 2022 Full Council meeting), it had emerged that certain procedural steps were not followed during the consultation. Therefore, the Council had taken legal advice which had recommended that a Regulation 19 consultation was carried out again.

As a number of important issues had been raised during the last consultation and there had been changes to Government guidance which affected policy, a further consultation now gave an opportunity to address some of these before the Plan was sent to the Planning Inspector.

The intention, therefore, was to re-publish a modified version of the previous consultation document and invite all those previously consulted to make comments. Additional supporting information, such as key evidence base documents, which had not previously been published, would also be made publicly available as part of the consultation.

At this stage, it was not possible to accurately estimate how long the proposed revisions to the Plan would take to complete (particularly if they required further evidence to be produced) or indeed if changes were necessary to address all the issues. However, an indicative timetable was presented (which mirrored the stages set out in Table 1). Once the dates could be confirmed, a revised timetable would be published in the Local Development Scheme on the Council’s website, but the timetable below could be taken as an interim guide.

Regulation 18 – Preparation of a Local Plan

This stage was now complete, with the last consultation at Regulation 18 ending in January 2020

Regulation 19 – Publication of a Local Plan

A revised consultation was now being prepared which was likely to take place in early 2024.

Regulation 20 – Representations relating to a Local Plan

Regulation 20 was effectively the same stage as Regulation 19, but related to the formal consultation process/period.

Regulation 22 – Submission to the Secretary of State

Following consultation at Regulation 19 and 20 stages, the Council would collate all the responses received, package together all the relevant supporting information and formally submit these to the Planning Inspectorate. Submission to the Inspectorate would take place as soon as possible after the Regulation 19/20 consultation ended and all submission material had been assembled – likely mid-2024.

Regulation 24 – Independent Examination

The date any formal hearings commence would be dependent on the Inspectorate's timetable and initial questions might be raised by the Inspector in the period preceding the hearings. A large volume of Local Plans might be submitted to the Inspectorate in 2024 (in order to meet the Government's proposed transition deadlines relating to planning system reforms). This might lead to some delay in receiving a confirmed date but the Examination should be set for around 3 months after submission. An estimate of when the Examination hearings could commence was towards the end of 2024.

Regulation 25 – Publication of the recommendations of the appointed person

This date was dependent on the progress and outcome of the Examination.

Regulation 26 – Adoption

Assuming that there were no issues of 'soundness' raised through the Inspector's final report then the Council would consider the recommendations, and formally adopt the Plan via a full Council meeting. Given that Examinations typically took around 12-18 months to conclude, the earliest this could be was 2025.

There was no prescribed timescale for implementing a Local Plan from the start of the process (Regulation 18) through to adoption (Regulation 26). However, the Government had made it clear through various announcements that it wished to see Local Plans progressed as fast as possible. Timescales were heavily influenced by the resources available, the complexity of the topics raised within the Plan, and the scale of objections received.

The Chair read aloud a question which had been submitted in advance by Councillor Carole Haythornthwaite, as follows:

"I would like to be clear about what procedures were not followed, resulting in delaying sending the Local Plan to the Inspectorate. As a member of the Local Plan group I would have expected to be told of this.

Residents have been advised that the Local Plan and their representations were being submitted to the Inspectorate and would be back with recommendations by the end of this year. It is now clear that there will be delay of up to a year, leaving residents' concerns to fester into 2025."

The Leader responded by indicating that the main procedural issue with the last consultation had been that an updated Sustainability Appraisal (a document which assesses the sustainability of a proposed Plan and which accompanied each stage during its preparation) had not been published. The Council had received legal advice which had recommended that the consultation was undertaken again, ensuring that a Sustainability Appraisal was published for comment alongside the Plan itself.

The Leader added that this was an unfortunate human error, which would cause some delay, but which was being rectified as quickly as possible.

Councillor Noordad Aziz noted that there would be additional implications of revisiting the Regulation 19 consultation, particularly around potential additional costs, the compilation of further comments from residents and ensuring that the original consultation responses were not overlooked. He also asked what procedures would be put in place to ensure that future consultation stages would be carried out correctly.

The Leader apologised for the situation and reiterated that the Regulation 19 consultation would recommence afresh. She would also ask the Planning and Transportation Manager to review how to prevent the situation from recurring and to provide a further report giving an indication of any potential additional costs caused by repeating the steps at Regulation 19.

Councillor Kimberley Whitehead asked if the Sustainability Appraisal had been carried out, but simply not published. She also asked if there were any implications for progress on the proposed Huncoat Garden Village (HGV) development. The Leader confirmed that the Sustainability Appraisal document had in fact been completed. There should not be any significant adverse implications anticipated in relation to the HGV proposals, however, she would discuss the matter further with the Planning and Transportation Manager.

The Chair suggested that a further report on this topic be added to the next meeting of the Committee.

- Resolved**
- (1) To note the contents of the report.**
 - (2) That a further report on the Local Plan, to provide answers to the questions raised in the debate, be provided at the next meeting of the Committee**

209 Leisure Transformation Update

The Chair welcomed Lyndsey Sims, Chief Executive, Hyndburn Leisure, to the meeting. Councillor Loraine Cox, Portfolio Holder for Leisure Transformation and Leisure Trust was also in attendance for this item.

Ms Sims reminded Members that the Trust had commenced working with Sport England in 2019. She then delivered a presentation to the Committee which covered the following matters:

- Sport England Strategic Outcomes Planning Model (4 stages comprising: outcomes; insight; interventions; and commitment);
- project aims (9 key project aims had been identified);
- developing the facility proposals (3 key considerations comprising: cost; existing facility condition; and potential impact on people's lives);
- research based approach (a list of research information used was provided);
- project delivery phases (4 phases commencing in 2021/22 and ending in 2024/25);
- Phase 3 focus - 2023/24 (current phase - including planning and commencement of build at Wilson's Playing Fields; refurbishment of Hyndburn Leisure Centre; developing a vision for Mercer Hall; working with Hyndburn Academy; and making various funding bids);

- Wilson’s Playing Fields update (list of progress to date and remaining tasks to undertake prior to construction commencing in late January 2024 and anticipated opening in Spring 2025 and future developments);
- Hyndburn Leisure Centre (Projects 1 and 2 delivered to date and Projects 3 and 4 planned, including working with the NHS Integrated Care Board);
- Mercer Hall (consultations undertaken and related bids submitted or planned);
- Bank Mill Centre (consultations undertaken and quotes received for refurbishment; funding being sought and external space improvements being considered);
- Clayton Community Centre (significant investment made to date and other funding sought and projects underway); and
- Hyndburn Academy (canal jetty refurbishment; community use of the gym and 3G pitch replacement proposed).

Councillor Kimberley Whitehead referred to the Community Ownership Fund application submitted in connection with Mercer Hall, which had been unsuccessful, but which had led to the provision of 8.5 days of consultant support and the opportunity to apply for a revenue grant for up to £10k. She asked if the Trust would pay for extra days of consultant support. Ms Sims indicated that no additional days would be required.

Councillor Melissa Fisher thanked Ms Sims for the presentation which provided a very positive picture of the work of Hyndburn Leisure. She commented that, at the recent Council meeting, several speakers had expressed concerns about escalating costs nationally and were worried that this might impact upon the Wilson’s project. No-one wanted the project to fail if it went ahead, but she sought reassurance that contingencies were in place to mitigate any unexpected rise in costs. Ms Sims responded that the financial risk had been carefully considered. The project would be delivered via a ‘design and build’ contract, which set a fixed cost and placed the main burden for risk management on the contractor. There were some contingencies built in to cover the first three months which might be required, for example, if the site condition surveys had failed to identify adverse ground conditions.

Councillor Noordad Aziz commented that Mercer Hall could be considered to be the jewel in the crown of Great Harwood. Formerly and dance hall, then a swimming pool, the building remained a stunning piece of architecture which should be a focal point within the town. This was one reason for suggesting the creation of a task and finish group to look at investment in the townships. He also expressed disappointment that the building adjacent to the Bank Mill Centre was not available as this could enhance the overall potential of the site. Ms Sims indicated that the Trust had attempted to buy that building, but had not been successful. Councillor Aziz was pleased to see the successful use of Clayton Community Centre. He added that former councillor, Tim O’Kane, had fought hard to keep this building in use. The partnership with the Amateur Boxing Club at that location had proved very successful, so much so that one of the Club’s members had turned professional last week. He hoped that Hyndburn Leisure would continue to support the Boxing Club.

Resolved - **To note the presentation provided to update the Committee in connection with the Leisure Transformation Programme.**

210 Levelling Up Funded Projects

Members considered a report of Councillor Mohammed Younis, Portfolio Holder for Levelling Up. Councillor Younis was in attendance to introduce the report. He was accompanied by Steve Riley, Executive Director – Environment. The Leader of the Council

had also remained in the meeting, as she had a keen interest in the Market Hall development.

Councillor Younis spoke to indicate that he was pleased to provide a written update for the Committee. There was a lot of public interest in this programme and several members of the public were present this evening. Mr Riley would give a presentation, following which there would be an opportunity to ask him some questions.

The report indicated that the Levelling Up Fund had been announced at the 2020 Spending Review and would focus on capital investment in local infrastructure projects that required up to £20m of funding and built on prior programmes such as the 'Local Growth Fund' and 'Towns Fund'.

Cabinet had given its formal approval in support of the Town Centre Stakeholder Board's recommendations that the Council's LUF submission should focus around the following three principal interventions, noting that 2 and 3 were not in the Council's ownership:

1. Redevelopment within the Indoor Market Hall and outdoor pavilions along Peel Street – the intervention known as Market Hall.
2. Improvements and redevelopment to the properties of 43-59 Blackburn Road / 2-4 Church Street – the intervention known as Market Chambers.
3. Improvements and redevelopment to the block 61-69 Blackburn Road – the intervention known as Burtons Chambers.

Whilst there had been a delay of almost 6 months in the funding announcement from DLUHC, (Department for Levelling Up, Housing and Communities), steady progress was being made. However, securing vacant possession still remained one of the key risks for project delivery on Burtons Chambers and Market Chambers. The Council continued to work with CBRE and Womble Bond Dickinson, (WBD) the Council's appointed property acquisition advisors and legal advisors.

Burtons Chambers

The freehold interest in the building had been secured in February 2023 and the Council had received notification of the Completion of Registration from the Land Registry on 25th May 2023. Three leasehold interests had been identified within the building. One had been surrendered prior to the acquisition, the second tenant had vacated the building in July and had surrendered their lease early. The final leasehold tenant had identified a suitable location for relocation and had now engaged with CBRE on a settlement figure for surrendering their lease early and likely costs related to relocating.

Market Chambers

Five freehold and eighteen leasehold known interests had been identified within the building. The freehold interests in three properties, 47-51 had been secured. The only leaseholders in this part of Market Chambers held a lease which was due to expire in June 2024 and was in line with the LUF programme of works.

CBRE had negotiated a sale by agreement with the fourth freeholder. Heads of terms were now being drafted with an anticipated exchange/completion by the end of the calendar year. Once completed, CBRE would continue the dialogue with the leaseholder to secure vacant possession in line with the LUF programme of works.

At its meeting in June 2023, Cabinet had authorised the making of a CPO where sale by agreement / vacant possession could not be reached. Given the lack of engagement with CBRE by the final freeholder, the Council would commence the CPO process in November.

The Market Hall

This building was within the Council's ownership and included traders holding a lease plus numerous casual traders who could simply turn up and pay to trade on a per day/week basis. New leases had been issued which would expire on the 31st December 2023 as this had been agreed with the traders as the last trading day before decanting into the temporary accommodation on the market square in the New Year.

Two long standing traders had agreed to surrender their lease early (end date 31st December 2025) as they were looking to close their business operations in Accrington and ease into retirement, others have simply given notice they intended to retire at the end of December when the current lease expired.

A small number of traders had secured their own decant arrangements / agreements with private landlords. The remaining traders had either accepted the offer of temporary accommodation on the town square or within one of the Council's empty commercial units in the town centre. Whilst the cost of providing temporary accommodation was included within the LUF funding, traders would still be required to pay rents and any service charges.

Royal Institute of British Architects (RIBA) Plan of Work

The report included a list of key outputs delivered during RIBA Stage 3 – Enabling and Operator Procurement Stage. Also provided was a list of tasks which would now be focused on to plan for the upcoming RIBA Stage 4 – Detailed Design, Enabling Works and Market Decant.

Frameworks and Social Value

Use of frameworks had formed the Council's procurement strategy and was a best practice approach to improving efficiency of procurement for all parties. There were a number of Government compliant frameworks that could have been suggested in the authority's submission and Cabinet had supported a strategy utilising SCAPE and NHS SBS.

Now that Morgan Sindall had been selected as the delivery partner, the project team had held a contract launch meeting on Friday 27th October 2023, where amongst other discussions, they had been asked to clarify how they would deliver the Social Value element of the project. Specifically, how local contractors/suppliers, residents/students and community/social enterprise groups could be best supported to engage in the project, including making it easy to register an interest in working on the project. Their suggestions/proposals would be agreed and promoted as the project proceeded.

Mr Riley delivered a presentation which highlighted and expanded upon the following topics set out in the report:

- RIBA Stages 0 -7;
- what was completed in RIBA Stage 3;
- supporting and engaging the wider community;
- procurement of partners/contractors (main project team, operator procurement experts; other consultants, delivery partner, operator);
- what was being focused on for RIBA Stage 4; and

- market decant plan (Most traders would relocate to cabins supplied by Rapid Retail Ltd located outside the Town Hall and Market Hall).

Mr Riley was aware that a number of questions had been put to the Chair in advance of the meeting, particularly in relation to the Market Hall intervention. He indicated that many of the questions and responses had been provided at the Special Scrutiny Committee meeting held in March 2023. Regular reports had been presented to Cabinet explaining how the Council had engaged experts to produce reports on the new offering and to support in the procurement of operators. The Council's website included a dedicated area for the town square development and included a number of Frequently Asked Questions and responses.

That said, Mr Riley had collated those questions submitted which on similar themes, so as to provide the following general responses.

- A dedicated Decant Project Manager had been procured and was now available to market traders to answer queries. A number of methods had been set up as different traders found different methods helpful – they had an office in the market which they worked out of several times a week so they were available for face to face catch ups, they had held group meetings with all traders, and they had held individual 1-2-1 sessions with traders so they could communicate their requirements, and discuss any queries or comments they had on the design. There was a FAQs sheet for the traders that had answers to all the questions they had asked. There was a dedicated email address for the traders if they wanted to send an enquiry by email.
- For those traders who wished to continue trading during the market hall redevelopment, the Council had/was supporting them by providing bespoke accommodation on the town square or accommodation in units along Broadway/the town centre. A plan was included within the presentation and showed the cabin layout. Storage accommodation was also being provided for traders requesting this and located in the market service yard. There would continue to be areas for traders to load/unload as they currently did.
- The Council had/was supporting some traders who had made their own arrangements to relocate into alternative premises in the town centre. There would be appropriate signage outside the market hall and on the cabins once traders had decanted highlighting to residents their new location.
- With the assistance of the expert consultant Barker Proudlove, the procurement for a market operator had commenced, with tender submission due back in the first week in January and selection by the middle of January 2024. The submission would include tenderers providing their business plan for how they intended to operate the market over the term of the lease arrangement.
- Back in Mach, officers made market traders aware of the possibility that a new operator might require traders to submit information about their business (which was commonly called a business plan). This was something the Council had been requesting for a number of years now. Until the operator had been selected, the Council could not know the specific details or even if this was something they would require, but it was simply being highlighted to traders as a possibility.

- Once an operator was in place they would agree rents based on experience of the rent levels that were typical in other similar markets, but acknowledging the current level of rents paid. The work in decarbonising / energy efficiencies should support keeping utility costs down for the future.
- Traders would also have input into how they would like the market to look and feel, stall designs and the play/leisure offering. This would include proposals on its operation, including any regular or special markets/events within the market hall and pavilion opposite the old Wilko site and the new parking area along Peel Street.
- The Council wanted to support small businesses in Hyndburn, and that included new and existing traders in the new vision for the Market Hall. Ultimately, to ensure the future Market Hall was a success, the operator would need many traders to occupy the Market once works had been completed and the operator and Council would be committed to supporting local independent traders who supported the new vision.

The Chair thanked Mr Riley for his presentation and broad answers. He then read out a number of specific questions submitted prior to the meeting. The questions put and Mr Riley's responses are shown below:

1. How many businesses were in the Market Hall currently and how many were scheduled to come back to the Market Hall after the refurbishment had taken place? Please could you provide a list of which businesses were going where?

Response: There were 30 stalls still operating in the Market Hall. It was unclear exactly how many would return, as a number were considering moving to other permanent locations in the town centre. Occupancy of the Market Hall would be the operator's responsibility, but clearly they would wish to fill it with traders.

2. Was it true that businesses would have to submit business proposals before they were permitted to return to the Market Hall? If businesses had to submit business proposals what help would the Council provide for businesses? What if a business refused to submit a business proposal?

Response: The potential need for business plans had been explained as above. The Council already required these. The final decision on their usage would be for the operator to take.

3. Some businesses currently had storage facilities in the Market Hall. Where would they store their belongings whilst using the Cabins?

Response: Storage, if requested, could be provided in the service yard.

4. Please could you confirm the size and plans of the Play Area? Who had made the decision?

Response: The Play Area concept was only available as visual interpretation, at this stage. It had been produced primarily for planning purposes. The actual size and location could be different. The concept had come about from the Barker Proudlove retail property consultants' report, as an idea to make the Market Hall stand out from

similar offers in the region. Play was missing from other competitors offers in East Lancashire.

5. To date, what communications had taken place between traders and Council/Project Management?

Response: A Decant Project Manager was currently on site for 3 days per week for face to face contact with traders and, over the next few weeks, would be present every day. The Project Manager was very approachable.

6. Please could information and results of the public consultation which had been held a few weeks back be released?

Response: This question appeared to relate to the formal planning consultation. It was not known whether comments/objections from the planning process were visible on-line at this stage.

7. Please could you provide a plan and details of how many stalls would be featured in the Market Hall and what ratio of food stalls there would be?

Response: Food and drink stalls would be located between the middle doors and the service yard. The end of the Market Hall by the former Wilko's store would feature the traditional traders market and new Play Area.

8. Please could you provide an update on what was happening to the outside market?

Response: Planning permission to demolish the Peel Street market pavilions had been obtained two years ago. The area would be used to provide additional parking.

9. What would be happening to the Outdoor Market Traders?

Response: The pavilion by the former Wilko's store would remain in operation.

10. What would happen to the Car Boot Market.

Response: The Council was looking to accommodate these traders on the town square where they could set up their own table and gazebo. A possible alternative was to accommodate them on Broadway.

11. Would rents be increased upon businesses returning to the Market?

Response: The rents would, be set by the Market Hall operators, but would be based on a reasonable expectation of what a trader should pay in this area.

The Chair then invited any questions from members of the Committee

12. Mr Mahmood asked about the number of cabins to be located in the town square and how long they would be in place for. He also enquired about the cost of the cabins and whether they could be used for the Car Boot Market.

Response: Mr Riley indicated that the cabins were temporary to cover for the duration of the Market Hall refurbishment and would be removed by 31 March 2025. Most of the cabins were hired, but a small number had been purchased. All were of steel construction and were waterproof and secure. The cabins were not suitable for the Car Boot Market.

Councillor Whitehead indicated that she had submitted numerous questions already on this matter. As a former trader in the market, she was finding it difficult to support the project and to promote this to businesses without a more detailed plans for the Market Hall. She asked the following questions and answers were provided by Mr Riley or Cabinet members, as appropriate:

13. Were any of the contracts drawn up and what clauses had been included?

Response: Contractors had been selected using Government compliant frameworks including SCAPE and NHS SBS. The clauses were standard clauses used nationally and were fit for purpose for projects of this scale and larger.

14. Had any consultations taken place with retailers on Broadway about having cabins in front of existing shops?

Response: No cabins were due to be sited on Broadway. The cabins would be located on the town square, in front of the Town Hall and Market Hall.

15. A trader had approached Councillor Whitehead today and mentioned that they were upset to learn that a councillor had applied of a licence for a stall in the middle of the Market Hall. Was there an application of this nature?

Response: No such application had been submitted. The operator would be responsible for the allocation of stalls in the refurbished market hall at the appropriate time. The Chair added that all councillors received an e-mail when licensing applications were submitted, so as to enable comments or objections to be submitted.

16. What discussions had taken place with other businesses in the town centre affected by the Levelling Up interventions, such as Chocky Mike and White Orchid, in Market Chambers? There had been a number of negative posts on social media over the last week about the retirement of some existing Market Hall traders. There had been some criticism made that the Decant Project Team was not often available. Councillor Whitehead had sent an e-mail to the Council suggested that the Portfolio Holder visit the market traders personally.

Response: Councillor Younis thanked Councillor Whitehead for raising this suggestion. The Leader of the Council commented that she remained passionate about the Market Hall. She gave an assurance that she had spoken to traders on several occasions over the last six months and discussions had taken place about all of the points being mentioned today. She had not been contacted directly by any trader wishing to report a lack of communication.

17. Could the Peel Street public toilets be reopened while the market hall was closed?

Response: This was currently being considered.

Councillor Younis reported that the Market Hall was currently within the Leader's portfolio, but he and Mr Riley also liaised closely with the market traders. There were two dedicated officers on site, who could answer any questions and refer any concerns to senior councillors or management. Every possible precaution had been taken to protect the traders during this transition. Councillor Whitehead repeated her concerns that some traders were retiring and that those who were moving to vacant shops might suffer increased energy costs. Councillor Younis reiterated that he would meet with traders to discuss their concerns in person. Transformation of the Market Hall would be a milestone project. Continuing and future traders and the whole town would ultimately reap the benefits. Many town centres were struggling and the interests of traders were at the heart of these plans. He, Councillor Haworth or Mr Riley could be contacted at any time. However, it was important to make progress with the project.

Councillor Whitehead commented that Opposition Members had received little information about the project, which might enable them to support it. Councillor Melissa Fisher echoed these points was upset to read the criticism on social media, particularly in relation to those long-standing traders who were concerned that they might be unable to return to the refurbished Market Hall. The Leader responded that a lot of effort had been put into communication with traders. Many of those members of the public present tonight were not traders, but might have been influenced by negative comments on social media, which were ill-informed. It was doubtful that the public would wish to support a position where no investment was being made. A mechanism for traders to be kept informed was in place, but as Council Leader she would be happy to listen to traders directly.

Councillor Noordad Aziz stated that uncertainty was an issue for any business. With around 30 traders moving into temporary accommodation and concerns about whether they would be selected to return to the Market Hall, this was an unsettling time. Mr Riley confirmed that the operator would need to look at which businesses would meet their vision for the future of the Market Hall. However, it was likely that most traders who wanted to would be able to return. A small number of traders had taken their own decision to not to return for a variety personal or commercial of reasons.

Councillor Aziz expressed a view that the Council's plans lacked an overall vision and that the decision to sub-let the Market Hall to an independent operator who would develop their own vision was flawed. He noted many of the traders had over 50 years' experience and questioned why they would need to submit a business plan. He asked if the Council could support them through this process. Mr Riley confirmed that assistance would be provided, if requested, when the operator's criteria were made known. The process should be relatively simple and the information sought might be akin to that required when applying for a small business loan.

Councillor Aziz called for arrangements to be made for all councillors to undertake a town centre walk to speak to traders. The Chair agreed that this would be a useful opportunity for all councillors to engage with traders and suggested that this should include market traders and those traders around the town centre who might be affected by the Levelling Up interventions. A few sessions could be arranged which would allow engagement by councillors first hand. Mr Mahmood spoke in favour of this proposal.

Councillor Younis summed up. He confirmed that consideration of the reopening of the public toilets on Peel Street was progressing. He understood that traders might be apprehensive about change, however, this project represented a big step forward. Inevitably there would be some differences of opinion about the programme. The Council was here to assist traders through his time of change and, if necessary, to advise them about the completion of business plans. Where traders wanted to return, the Council could help by discussing any issues with the Market Hall operator. Some £10m was due to be

spent on the Market Hall, so the Council was keen for it to be successful. The concerns expressed today were acknowledged and the Council was doing its utmost to address them, where it could.

Resolved:

- (1) To note the report, presentation and responses to the questions posed.**

- (2) To recommend that Cabinet:**
 - (i) Arrange a date for all councillors who wish to meet with traders and businesses around the Town Square to listen to their views; and**

 - (ii) Consider the reopening of the Peel Street public conveniences during the temporary closure of the Market Hall.**

Signed:.....

Date:

Chair of the meeting
At which the minutes were confirmed