

<b>Subject:</b>	Rawtenstall Market	<b>Status:</b>	For Publication
<b>Report to:</b>	Full Council	<b>Date:</b>	13 <sup>th</sup> December 2017
<b>Report of:</b>	Economic Development Manager	<b>Portfolio Holder:</b>	Regeneration, Leisure and Tourism
<b>Key Decision:</b>	<input checked="" type="checkbox"/> Forward Plan <input checked="" type="checkbox"/>	General Exception <input type="checkbox"/>	Special Urgency <input type="checkbox"/>
<b>Equality Impact Assessment:</b>	Required:	No	Attached: Initial EIA only
<b>Biodiversity Impact Assessment</b>	Required:	No	Attached: No
<b>Contact Officer:</b>	Economic Development Manager	<b>Telephone:</b>	<b>01706 252568</b>
<b>Email:</b>	<b>guydarragh@rossendalebc.gov.uk</b>		

1.	<b>RECOMMENDATION(S)</b>
1.1	To approve the holding of an open competition for the redevelopment and ongoing management of Rawtenstall Market on a long lease basis.
1.2	The assessment of tender bids to be delegated to the Economic Development Manager in consultation with the Head of Finance and Portfolio Holder.
1.3	To approve a budget of £8,000 from the employment and transport reserve for the legal and professional fees associated with this process.

## 2. PURPOSE OF REPORT

- 2.1 To seek members approval to hold an open competition to assess the suitability of tender proposals for the physical redevelopment, long lease and ongoing management of the site. The award will be made by a future Council meeting following a competition and assessment process.

## 3. CORPORATE PRIORITIES

- 3.1 The matters discussed in this report impact directly on the following corporate priorities:
- **A connected and successful Rossendale that welcomes sustainable growth:** our priority is to ensure that we are well connected to our residents, key partners and stakeholders. We want to make the most out of every pound we spend and we are always looking for new and innovative ways to make the resources we do have, work harder for us.
  - **A proud, healthy and vibrant Rossendale:** our priority is to ensure that we are creating and maintaining a healthy and vibrant place for people to live and visit.

## 4. RISK ASSESSMENT IMPLICATIONS

- 4.1 There are several risks associated with this proposal which are set out below:
- No suitable application is received – Alternative options would need to be considered by officers if this occurred.
  - The successful applicant fails to deliver what is stated in the bid – Strict performance measures will be built into the lease agreement, failure to achieve targets will if not corrected within the stipulated time will see the agreement terminated and the asset handed back to the Council.
  - The successful applicant cannot make the renewed vision profitable – At stipulated break clauses the lease would be able to be returned to the Council.
  - The Successful applicant stops trading – A new competition would be held in this

situation.

- If the competition does not go ahead then the much needed investment into the facility will not come from the private sector.
- If the competition does not go ahead the additional expertise required to modernise the market offer to shoppers and visitors brought by a private sector partner would be lost.

## 5. BACKGROUND AND OPTIONS

### 5.1 Background

The current market hall in Rawtenstall was opened in 1906 with Thursday and Saturday as the designated opening days. The site consists of a traditional covered market hall as well as a front area that has cabins in an open environment.

Since 1906 the retail environment has changed considerably reflecting wider social and lifestyle changes. Increased competition from discount supermarket chains and the internet have added further pressure on the traditional business model. However, markets that have adapted and changed have proved that revised markets have a place in the modern retail environment. Shoppers are increasingly seeking an authentic experience and have embraced markets that sell products that they cannot buy in the mass market shops. Typically homemade, organic and niche products as well as special events have proved to be successful in attracting shoppers. An example of revised markets is in Altrincham, Trafford; following extensive refurbishment it now incorporates regular design, food, vintage and craft specialist markets as well other themed markets five days per week. The aim is not to exclude existing traditional traders or shoppers but to add new and additional offers that attract new people. Although some welcome new markets have been introduced in recent years in Rawtenstall there is a clear business case to further develop the asset.

### 5.2 Aim

The aim for Rawtenstall is to seek a private sector partner who is willing to fund the extensive modernisation and refurbishment that is required to the buildings. Develop a revised business plan that maintains the traditional market as well as developing new attractive offers. This will ensure that Rawtenstall Market remains at the heart of the community for future generations.

### Concept

5.3 An open competition will be held which will draw in interest for a range of businesses. Each will be required to submit detailed documentation that includes:

- Designs for the refurbishment of the site
- Concept vision and innovation
- Full business plan
- Financial projections
- Financial suitability
- Maintenance plan
- Management structure
- Incorporation of existing traders plan
- Lease payments schedule

These documents will be rigorously tested and evaluated. Those meeting the essential applicant criteria will then be invited for an interview; the selection panel will then score the bids. The successful highest scoring applicant will then receive a legal agreement and long lease for the property with performance management targets and break clauses. They would then carry out the agreed refurbishment and maintenance programme, implement the business plan, manage the day to day operation of the site including collecting payments from

traders and make agreed lease schedule payments to the authority. The Council will retain ownership of the asset.

#### 5.4 Performance management

A condition of the competition and subsequent lease agreement will be the adherence to key performance management targets. The leaseholder will be required to submit to the Council regular performance statistics as well as granting regular access for Council officers to conduct their own surveys. The performance measures will cover the following areas:

- Levels of footfall
- Opening days/ hours
- Store holder occupancy rates
- Maintenance schedule
- Lease payments schedule

Failure to adhere to the agreed targets will see a warning being issued and if corrective action is not made then the lease agreement after due process would be terminated.

#### 5.5 Timescales (estimated)

Informal discussions with market traders	November 2017
Approval by Council to hold competition	December 2017
Formal consultation with market traders	December/January 2017/18
Development of Tender specification	December/ February 2017/18
Invitation to Tender Issued	March 2018
Close of applications and assessment	June 2018
Assessment interviews	July 2018
Formal tender award approved by Council	September 2018
Award of lease agreement & standstill	September 2018
Start of new lease	January 2019

#### 5.6 Assessment criteria and process

Each applicant will be required to provide comprehensive evidence and supporting documentation. These will be independently scored by the review panel which will consist of officers and the Portfolio Holder. Only those that meet the essential requirements will be invited to a clarification interview where their plans will be examined, evaluated and scored. The applicant with the highest score will be recommended for approval at a future meeting.

The £8,000 legal and professional fees will enable external professional analysis of the tenders to take place should it be required and for a comprehensive lease agreement to be produced.

#### 5.7 Summary

This process puts in place the framework to attract a suitable partner and ensures that the necessary safeguards are in place to hold a full and fair competition. It is envisaged that a dynamic and ambitious private/ third sector partner will be established to take forward the modernisation of the physical buildings and business offer at Rawtenstall Market. This will ensure that the market remains a thriving business and community asset.

### **COMMENTS FROM STATUTORY OFFICERS:**

#### **6. SECTION 151 OFFICER**

6.1 Financial matters are noted within the report.

**7. MONITORING OFFICER**

7.1 This competition will be run in accordance with the Council's constitution relating to the Council's assets with all necessary legal agreements being entered into following full due diligence.

**8. POLICY IMPLICATIONS AND CONSULTATION CARRIED OUT**

8.1 As this report is concerned with holding an open competition for the redevelopment of the market there are no Policy Implications and the open competition will not have any adverse impacts under the Council's Equality Policy or associated equality duties. No consultation has taken place and an appropriate level of community consultation will be undertaken as part development process.

**9. CONCLUSION**

9.1 It is recommended to hold an open competition for the redevelopment and ongoing management of Rawtenstall Market on a long lease basis. The assessment of tender bids to be delegated to the Economic Development Manager in consultation with the Head of Finance and Portfolio Holder. To approve a budget of £8,000 from the employment and transport reserve for the legal and professional fees associated with this process.

No background papers

## INITIAL EQUALITY IMPACT ASSESSMENT

<b>Name of Policy, Decision, Strategy, Service or Function, Other: (please indicate)</b>	Rawtenstall Market, Cabinet Report November 2017	
<b>Lead Officer Name(s) &amp; Job Title(s) :</b>	Guy Darragh, Economic Development Manager	
<b>Department/Service Area:</b>	Economic Development	
<b>Telephone &amp; E-mail Contact:</b>	X2568	
<b>Date Assessment:</b>	<b>Commenced:</b> 27 October 2017	<b>Completed:</b>

**We carry out Equality Impact Assessments (EIAs) to analyse the effects of our decisions, policies or practices. The EIA should be undertaken/started at the beginning of the policy development process – before any decisions are made.**

### 1. Overview

**The main aims/objectives of this policy<sup>1</sup> are:**

Promote private sector investment into the site, increase footfall, improve customer experience etc.

NB: Consultation with existing market traders will take place before the tender document is issued, this will involve letters, one to one meetings and feedback forms.

(Refer to **EIA Guidance** for details)

Is the policy or decision under review (please tick)

New/proposed

Modified/adapted

Existing

### INTERNAL ONLY

#### MANAGEMENT ACTION REQUIRED (to be completed by the relevant Head of Service following review by Management Team / Programme Board)

- Outcome of EIA agreed/approved by Management Team / Programme Board:  
Yes  No
- Is a full EIA required Yes  No
- Referred back to Assessor for amendment : (date)
- Published/made publicly available on: (date)

Signed:..... (Head of Service / Director) Date:

Date of Review<sup>2</sup>:

**[To be completed by Lead Officer]**

<sup>1</sup> Policy refers to any policy, strategy, project, procedure, function, decision or delivery of service.

<sup>2</sup> This date will be set on an annual basis as default for review unless otherwise specified by you.

<b>Responsible Section/Team</b>		<b>Version</b>	
<b>Responsible Author</b>		<b>Due for review</b>	
<b>Date last amended</b>		<b>Page 1 of 2</b>	

## 2. Equality Impact

Using the table below please indicate whether the policy/strategy/decision has a positive, negative or no impact **from an equalities perspective** on any of the protected equality groups listed below. **Please also give consideration to wider equality of opportunity and community cohesion impacts within and between the groups identified. If you have identified any negative impact and mitigating actions are not sufficient, you will need to complete a Full Equality Impact Assessment.**

Equality		Positive Impact (It could benefit)	Negative Impact (It could disadvantage)	Reason and any mitigating actions already in place (to reduce any adverse /negative impacts or reasons why it will be of positive benefit or contribution)	No Impact
Age	Older people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Younger people and children	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Disability	Physical/learning/mental health	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Gender Reassignment	Transsexual people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Pregnancy and Maternity		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Race (Ethnicity or Nationality)	Asian or Asian British people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Black or black British people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Irish people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	White British	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Chinese people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Gypsies & Travellers	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Other minority communities not listed above (please state)	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Belief or Religion		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Sex	Women	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Men	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Sexual Orientation	Gay men, gay women / lesbians and bisexual people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Marriage and Civil Partnership (employment only)		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Contribution to equality of opportunity		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Contribution to fostering good relations between different groups (people getting on well together – valuing one another, respect and understanding)		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Human Rights <a href="http://intranet/site/scripts/documents_info.php?categoryID=86&amp;documentID=251">http://intranet/site/scripts/documents_info.php?categoryID=86&amp;documentID=251</a>		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>

Responsible Section/Team		Version	
Responsible Author		Due for review	
Date last amended		Page 2 of 2	