

## **Cabinet – 29 October 2014**

### **Response to the Regeneration Scrutiny and Performance Panel Report on Walsall Market Feasibility Study**

**Portfolio:** Councillor Mohammad Nazir  
Deputy Leader  
Regeneration

**Related portfolios:** N/A

**Service:** Regeneration: Development and Delivery

**Wards:** St. Matthews

**Key decision:** Yes

**Forward plan:** Yes

**NB: This public session report should be read in conjunction with the supplementary private report that sets out further key financial information in relation to the permanent Walsall Market and its costs of implementation, specifically it sets out cost estimates for the project which are commercially sensitive to the Council so not to compromise any future procurement exercise.**

#### **1. Summary**

- 1.1 Walsall Market has been situated in a temporary location since 2009. Initially this was to curtail the decline of the market but also in recognition of the fact that a permanent location complementary to emerging retail redevelopment proposals within the St Matthews Quarter of the town centre would require the comprehensive consideration of a more permanent, sustainable solution.
- 1.2 Through the Markets Working Group and the Regeneration Scrutiny and Performance Panel, attention was concentrated on the creation of a new Walsall market. This involved finding a permanent market location where the type and quality of the market would lead to an improvement in the overall attractiveness of the town centre. This could also enable additional trading days and events to be introduced to further increase the appeal of the town centre to customers. Consultants Arup were appointed in October 2013 to undertake the Market Feasibility Study.
- 1.3 A report was presented to Cabinet in April 2014 to present the initial findings of the Market Feasibility Study, as supported by the Markets Working Group and the Regeneration Scrutiny and Performance Panel. It also provided Cabinet with an overall 'direction of travel' for the project at that time, who then resolved to support the undertaking of more detailed design work to reach a conclusion on

the Walsall Market Feasibility Study and approved to take forward the findings of the Regeneration Scrutiny and Performance Panel in regard to the permanent location and design of Walsall Market.

- 1.4 This report now presents the conclusions of the Market Feasibility Study, as supported by the Markets Working Group and the Regeneration Scrutiny and Performance Panel, and outlines the relocation of market stalls that will be necessary in early 2015 to facilitate specific regeneration activity in the Town Centre, namely the Network Rail electrification works in Park Street and the Market Exclusion Zone that exists as part of the Old Square Phase 1 development.

## **2. Recommendations**

**Note: The decision will be made in the private session following consideration of the confidential information.**

The recommendations are set out below:

- 2.1 That Cabinet agrees the recommendations of the Regeneration Scrutiny and Performance Panel in regard to the preferred design of the permanent Walsall Market, as set out in Appendix A.
- 2.2 That Cabinet approves the relocation of market stalls to facilitate the Network Rail electrification works which are planned to take place on Park Street at the start of 2015 and to accommodate the Market Exclusion Zone that exists as part of the Old Square Phase 1 development (detailed in paras 3.14, 3.15 and Appendix B).
- 2.3 That Cabinet agrees to delegate to the Executive Director for Regeneration, in consultation with the Portfolio Holder for Regeneration:
  - 2.3.1 the authority to take the recommendations of the Markets Working Group and form these into a planning application and submission for the permanent Walsall Market;
  - 2.3.2 the authority to procure further specialist consultancy support and seek tender costs for the implementation of the final preferred design for Walsall Market, subject to the project cost falling within the budget of £2m as approved by Council on 27<sup>th</sup> February 2014 and subject to the granting of Planning Permission.
- 2.4 That Cabinet agrees to delegate to the Executive Director for Regeneration, in consultation with the Portfolio Holder for Regeneration, the letting of a contract for the consultancy support works described in 2.2 subject to having carried out a compliant procurement process to implement the work and subject to the costs of which being within the £2m approved capital project budget.

## **3. Report detail**

- 3.1 At a meeting of Regeneration Scrutiny and Performance Panel on 6 March 2014, the Panel agreed the recommendations of the Markets Working Group, that the

preferred location of The Bridge is acceptable for a permanent location for the market, and that a public exhibition of the layout and design of the market in this preferred location could take place at the end of March 2014.

- 3.2 At its meeting on 10<sup>th</sup> March 2014, the Markets Working Group was presented with a series of design options for the layout and design of Walsall Market in this location and the Group was asked to agree the design principles that formed the eventual design which was then consulted upon over two days of consultation with the public, stakeholders and market traders at the end of March 2014. This same design was also subject to a specific engagement event held with market traders on 18<sup>th</sup> March 2014. This activity formed the second comprehensive stage of consultation for the project.
- 3.3 At its meeting on 22<sup>nd</sup> April 2014, the Regeneration Scrutiny and Performance Panel was provided with feedback from this second stage of consultation, as well as presented with a request to extend the timeline for Arup's commission to enable the market design to be refined so far as possible.
- 3.4 Following the Regeneration Scrutiny and Performance Panel meeting detailed in 3.3, Cabinet received a report on 30<sup>th</sup> April 2014 that presented the findings of the Market Feasibility Study, as supported by the Markets Working Group and the Regeneration Scrutiny and Performance Panel, providing Cabinet with an overall 'direction of travel' for the project.
- 3.5 Cabinet resolved to support the undertaking of more detailed design work to reach a conclusion on the Walsall Market Feasibility Study and agreed to take forward the findings of the Regeneration Scrutiny and Performance Panel in regard to the permanent location and design of Walsall Market on The Bridge.
- 3.6 Following this, the feasibility study's timeline was extended beyond the original April 2014 date to enable the preferred design for the permanent Walsall Market to be developed further so as to incorporate the feedback received from the public, trader and stakeholder consultation events held in March 2014, in so far as possible.
- 3.7 The comprehensive consultation process has been important to inform the progression of the final preferred design, and Council regeneration officers and the Market Working Group have previously been encouraged by stakeholder's willingness to engage and provide feedback. A further opportunity for stakeholder consultation will be available through the future planning application.
- 3.8 The consultation feedback has also enabled project consultants Arup and the Development & Delivery Service, who oversees the management of the Markets Service, to consider the capital and revenue implications of the proposals to ensure the project can be delivered within the current capital budget for the project and to minimise the operational costs of the changes.
- 3.9 Following on from the second stage consultation feedback that was presented to the Markets Working Group in March 2014, those design issues have now been incorporated into the preferred design, in so far as has been possible. For example:

- The renegotiation of the area of the Market Exclusion Zone with Zurich / Threadneedle, allowing for a larger area of The Bridge to be utilised as part of the permanent Walsall Market, is close to completion;
  - Catering and food vehicles have now been incorporated into the preferred design to support the food offer;
  - Zoning of the market is being considered, with a clear food zone for fresh and consumable produce alongside appropriate power, drainage and waste collection arrangements;
  - The prominence of public art has been maintained, ensuring good legibility in key locations;
  - Loading/unloading and access arrangements for the permanent market have been tested further; an appropriate vehicle tracking exercise has been undertaken as part of the design process;
  - The layout of stalls continues to be considered;
  - The attractiveness of all stall positions has been considered;
  - Council officers have made visits to other markets to seek reassurance as to the robustness and suitability of demountable stalls in general; suppliers of similar products have been engaged with so as to understand the maintainability and longevity of such structures. This is an ongoing process that will continue to the point of planning application submission;
  - The red line boundary of the planning application will be amended to be more focussed upon the new market and its access;
  - A Highway Maintainability Audit is being undertaken for the preferred design, to ensure the suitability of proposed materials. Existing materials within the area that are able to be reused as part of the new scheme will be utilised, so far as possible.
- 3.10 The design matters above have now been incorporated into a revised preferred design (Appendix C). This final preferred design has been endorsed by Regeneration Scrutiny and Performance Panel and the Markets Working Group. A 'project team' approach has been adopted by the Council in relation to the above, to include all necessary disciplines in the discussions for the development of the market and public realm proposals.
- 3.11 Cabinet will recall that the preferred design entails the removal of the fountain and podium on The Bridge. The costs involved in the removal will be met by the existing, approved project budget; however, the relocation of the fountain to an alternative location will require a separate piece of work to be conducted and a budget identified for any implementation works thereafter.
- 3.12 With the benefit of all the stakeholder feedback, including the requirement by the Council to ensure that the revenue implications of the proposals are better understood, Arup have been able to undertake further research into best practice from other Councils operating a similar market as that proposed for Walsall. Learning from others, and having a better understanding of the operational requirements of the proposals, will also enable the Council to develop revised and new management plans, guidelines and arrangements to help give the permanent market the best possible chance of success.
- 3.13 Alongside the design work for the permanent market, there has also been work on a Market Design and Management Plan. It is through this that the Council and its design team have been able to consider the capital and revenue implications of the proposals to secure a clear understanding of the operational requirements

of the proposals and it is confident that the new Walsall Market presents no further revenue or capital implications than those which are currently addressed within the budget. The Design and Management Plan will form the basis of future market guidelines for the management of the new market (building upon the emerging Markets Policy (see 6.4)) and will also be submitted as part of the planning application process.

- 3.14 Arup's design team have developed an implementation programme so that the Council and its stakeholders can understand how the market and town centre might continue to operate under a 'business as usual' premise whilst changes to create the permanent market take place. It is recognised that Walsall town centre is currently going through a much welcomed programme of development and regeneration, with projects such as the redevelopment of Old Square Phase 1 now underway, the planned Norton and Proffitt development scheme, and aspirations for future phases of redevelopment of the Old Square Shopping Centre. It is acknowledged that this regeneration will bring disruption, particularly to the Bridge, High Street and Digbeth. The Council will wish to ensure that it minimises the impact on existing businesses during this transitional period and that the implementation of the permanent market will be carefully planned to take account of any other development activity occurring simultaneously in the town centre. How this activity will impact can only be known as this project and others progress. Should provisions need to be made to adjust and flex the timescales around different projects to support the town centre redevelopment it is proposed that this be done in consultation with the Scrutiny Panel, the Portfolio Holder for Regeneration, and key stakeholders/ statutory consultees.
- 3.15 A relocation of some existing market stalls will be required over the next few months in order to facilitate the necessary works as part of the Network Rail railway electrification project in Park Street, and also to reflect the recently renegotiated Market Exclusion Zone, that will exist on completion of the Old Square Phase 1 Primark unit. Approximately 26 individual stalls/catering vehicles will be affected, with some traders moving to current void stalls and the remaining onto relocated stalls within the boundary of the existing market area, by mid-February 2015. As with the previous temporary move, officers intend to continue to work closely with the Market Traders Association and affected traders to communicate the key information once the details of the requirement is clearer.
- 3.16 Subject to planning permission being granted for the permanent market, the next step thereafter would be to appoint specialist consultants to take the project through to the implementation stage, including the technical drawings that would be required, in compliance with the Highway Maintainability Audit. The appointment of consultants is necessary due to the lack of skill-sets and capacity within the Council to undertake this work. Subject to the granting of planning permission, work on tendering for the second stage of works will commence thereafter.
- 3.17 In addition to the above, a time extension to the current temporary planning permission (13/0433/FL) that allows the market to be located in its current position will need to be applied for, as this currently expires in April 2015. It is likely that a planning approval for the extension will only be granted if there is certainty through the planning process that the permanent market in the

preferred location is deliverable; therefore timely submission of the planning application for the permanent market is crucial.

#### **4. Council priorities**

- 4.1 The Council has committed to focus on three priorities in the Corporate Plan and one of these is the economy. Continuing to support Walsall Market will sustain an income to the Council, and support small businesses growth and the vitality of Walsall town centre as set out in the Black Country Core Strategy and in the emerging Walsall Town Centre Area Action Plan, which was the subject of an 'Issues and Options' consultation earlier this year.
- 4.2 The permanent proposals for Walsall Market are in line with the following objectives as set out in the Marmot Review:
- Create fair employment and good work for all
  - Create and develop healthy and sustainable communities.

#### **5. Risk management**

- 5.1 There is a risk that the proposal may not achieve planning permission, or may be challenged during the six week period for judicial review of any decision to grant planning permission. Officers have tried to mitigate against this risk by undertaking extensive pre-planning stakeholder consultation, as well as conducting early and ongoing engagement with the Local Planning Authority, but the proposal may still face opposition at the planning stage.
- 5.2 There is a risk that the proposal could be challenged through the forthcoming Town Centre AAP, which will look to allocate and protect the market in its new location. Officers have limited this risk by undertaking extensive evidence gathering around all of the considered locations, clear justification of the chosen location and by undertaking extensive pre-planning stakeholder consultation. Furthermore, the embedding of arrangements for the market in planning policy will provide protection for the area and certainty for traders and property owners.
- 5.3 There will be an impact on the Town Centre and its users whilst the implementation works are taking place. The works are planned for an area where a high volume of other redevelopment is planned for the future, both in the short and long term. Officers will mitigate against the possible negative impacts of the implementation via the preparation of a phasing and implementation programme. There will be a need for further moves of current market stalls to facilitate this project and others. There will be ongoing engagement with the local business community and traders to further mitigate the risks associated with the possible disruption, emphasising the long-term benefits of the works to Walsall Town Centre.

## **6. Financial implications**

- 6.1 The revenue costs for the feasibility study are now known and the remaining balance of payments of first stage consultancy fees are forecast to be spent in the current financial year (2014/15). Details of the expenditure to date and the profile of any remaining fee payments are set out in a supplementary private report.
- 6.2 There will need to be a further piece of consultancy work whereby the tender documentation for the implementation of the scheme will be worked up. This will only be commissioned once planning permission has been secured: these costs will be funded from the approved Capital budget of £2m, as approved by Council on 27<sup>th</sup> February 2014. An exercise has been undertaken with consultants Arup to understand the cost estimate of the implementation of the preferred permanent market design. Officers consider that the estimated cost can be met within existing budgets. However, if after tendering these works, costs exceed the approved Capital budget then an exercise to identify additional resources or reduce the specification would need to take place and would be reported to Cabinet accordingly. Please note the actual cost has not been stated within this report so not to prejudice any future procurement process; however the current cost estimate for this project is set out in a supplementary private report.
- 6.3 In respect of the existing markets budgets and forecasts, those traders who are currently located within the old Market Square have been afforded a rent reduction - an arrangement which has been reviewed and agreed to be in place until September 2015. This incentive, along with other financial incentives being offered to market traders, may impact on the overall revenue budget. This currently means that, along with the reduced occupancy levels and voids stalls, the rent reductions being awarded within Walsall Market, and the existing income and expenditure targets, the Markets Service is having to manage increased financial pressures that arise from this transitional period.
- 6.4 Through the Design and Management Plan for the new Walsall Market, the Council has been able to understand the operational requirements and options for the future management of the market. The new market will need to operate within existing revenue budgets and therefore any future decisions on the operation options available will be taken with this in mind. Whilst there will be a reduction in the number of stalls within the preferred permanent market, this should not have a net impact on income from the market. The number of traders could remain the same because the current market is running at below full occupancy rate, with a variation in the number of voids on any given market day. There may remain however a financial risk for the Markets Service in operating a new market where the overall aim of the project is to deliver a successful and sustainable market with a different offer for the people of Walsall, may not be demonstrated through increased income alone. In order to give the market the best possible chance of continuing success, resources to support the future operating costs and marketing of the market may be required. Work has already commenced to review specific operational matters including the implementation of the new encroachment policy. New trade waste arrangements are being tested alongside the production of revised market guidelines. These guidelines will be formed into an operational policy that will be presented to Cabinet later in the municipal year. The policy will be updated at appropriate stages including prior to

the implementation of the new market and will draw upon the advice and guidance of the consultancy team and as set out in the Design and Management Plan. At this stage it is therefore difficult to forecast the overall net income position of the new Walsall Market but all efforts will be made to manage this through existing resources.

- 6.5 Officers from relevant disciplines have been involved the overall project team to design a scheme that has minimal impact on current Neighbourhoods maintenance budgets. Public realm is important to the overall vitality of the town centre but comes at a cost both of capital investment to implement the scheme and also possible revenue to maintain the high quality areas that it creates, therefore there may be a requirement in the longer term for the safeguarding of revenue funding to ensure appropriate maintenance of the higher quality materials proposed for use on the public highway. The suitability of using the proposed materials and cost of maintaining them will be determined through the application of the required Highway Maintainability Audit.
- 6.6 The costs associated with the relocation of market stalls (as set out in 3.15) are to be met through Development and Delivery's 'Regenerating Walsall Capital Programme'.
- 6.7 The costs associated with the temporary market storage facility at Lower Hall Lane (as detailed in 8.1) are to be met through Development and Delivery's 'Regenerating Walsall Capital Programme' and Property Service's 'Central Demolition Budget'. As these works have not yet been fully procured, the estimated costs are not stated within this report but can be found in a supplementary private report.

## **7. Legal implications**

- 7.1 The submission of a planning application will be required to authorise the future permanent home of Walsall Market. Until a planning permission is secured and any planning conditions are met, the scheme cannot be implemented. It is proposed that a planning application for the permanent Walsall Market will be made in November 2014.
- 7.2 There will be a six week period for judicial review of any decision to grant planning permission, and this will be built into the project timetable.
- 7.3 When the market is to be relocated, the Council will need to comply with the requirements of the Walsall Corporation Act 1969. Where it is proposed to alter the place where the market is held, the Council must give at least one month's notice by publishing a public notice in one or more local newspapers circulating in the borough, and by placing notices in conspicuous places in the borough.
- 7.4 Any contract for services or building / civil engineering works will need to be procured in accordance with the Council's Contract Rules and in accordance with legislation, including the Public Contracts Regulations 2006 (as amended).



- 7.5 Should there be a requirement for amendments to be made to existing Traffic Regulation Orders to facilitate the new Walsall Market, these will be applied for in accordance with the statutory requirements.

## **8. Property implications**

- 8.1 As reported previously, Arup's recommendation is that storage facilities should continue to be provided for the market in order to maintain the viability of the market. Based on the previous advice and the ongoing operational requirements of the current market, a planning application and subsequent temporary consent (two years) has now enabled a new temporary facility to be created at 57, 57a, 57b and 58 Lower Hall Lane. The costs associated with the creation of this temporary facility are set out in 6.7. There will, however, need to be further work undertaken to consider the specification and design of any new permanent storage facilities, what this will consist of and the cost, should it be provided. This element of the project currently sits outside of Arup's commission and it is assumed that the costs of the permanent storage solution will need to be accommodated within the £2 million currently allocated for the project. Options for the location and specification of the permanent storage solution will now need to be built in to the next stages of the project. The permanent storage scheme will also require planning permission, taking into consideration its likely setting in a conservation area.

## **9. Health and wellbeing implications**

- 9.1 None directly arising from this report, however, as set out in Section 4, this project aligns to the Council's Corporate Plan in regard to creating and developing healthy and sustainable communities.

## **10. Staffing implications**

- 10.1 As part of the Design and Management Plan and its analysis of the operational requirements/options, the staffing resource for the day-to-day management of the market has been considered. Further work will be necessary to fully understand the operational requirements to manage the future market.

## **11. Equality implications**

- 11.1 The Markets Service will still continue to operate within the rules and regulations of the Equality Act. At this stage of the project there are no immediate equality implications. Equality analysis, legal requirements and good practice issues are being considered throughout the project, and will continue to include engagement and consultation.
- 11.2 An Equality Impact Assessment has been started for the project and accompanies this report.

## **12. Consultation**

- 12.1 The Walsall Market Feasibility Study has been subject to early, ongoing and robust consultation with the traders, the public and key stakeholders as reported previously in paragraph 3.22 of the April Cabinet Report - Response to the

# Regeneration Scrutiny and Performance Panel Report on Walsall Market Feasibility Study.

## Background papers

Response to the Regeneration Scrutiny and Performance Panel Report on Walsall Market - 23/01/13 Cabinet

Regeneration Scrutiny and Performance Panel Briefing Note - Walsall Market Feasibility Study - 22/01/14

Response to the Regeneration Scrutiny and Performance Panel Report on Walsall Market Feasibility Study – 30/04/14 Cabinet

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29<sup>th</sup> October 2014



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Portfolio Holder  
29<sup>th</sup> October 2014

# **BRIEFING NOTE**

**TO: REGENERATION SCRUTINY AND PERFORMANCE PANEL**  
**DATE: 4<sup>th</sup> September 2014**

**RE: WALSALL MARKET FEASIBILITY STUDY**

## **Purpose**

The purpose of this report is to update the Regeneration Scrutiny and Performance Panel on progress made to date on the Walsall Market Feasibility Study since the Panel's last update on 22<sup>nd</sup> April 2014.

The Feasibility Study, as led by the Walsall Markets Working Group, has now reached a point where the comments from the extensive public, trader and stakeholder consultation in March 2014 have been incorporated into the design of the new market in so far as has been possible, and work on the preparation of material to support the planning application for the new permanent market is nearing completion, prior to submission. Therefore, the purpose of this report is to explain recent progress and to seek agreement as to the project's next steps.

## **Background**

The Markets Working Group was established in 2012 to consider the future of Walsall Market. GVA/The Retail Group were appointed thereafter and worked with the Markets Working Group on future options for Walsall Market, in terms of both location and design. The Working Group made recommendations to Cabinet through the Scrutiny Panel which Cabinet endorsed, agreeing to the commissioning of a more detailed Feasibility Study. In Autumn 2013, a tendering process was conducted, resulting in Arup being appointed for this more detailed piece of work in October 2013.

## **Progress since last update (22/04/14)**

At its meeting on 22<sup>nd</sup> April 2014, Scrutiny Panel resolved to:

- note the contents of this update report, specifically the preferred location (The Bridge) and design concepts for Walsall Market;
- recommend to Cabinet the direction of travel for the project and seek agreement for the design concepts to be developed further for the permanent Walsall Market;
- receive further reports in line with the next steps for the project and continued design development for Walsall Market.

## **Further Development of the Design for Walsall Market**

Following the last meeting of the Scrutiny Panel and recommendation to Cabinet thereafter, the feasibility study's timeline was extended beyond the original April 2014 date to enable the preferred design for the permanent Walsall Market to be developed further so as to incorporate the feedback received from the public, trader and stakeholder consultation events held in March 2014.

The comprehensive consultation process has been important to inform the progression of the design, and the Working Group has previously been encouraged by stakeholder's willingness to engage and provide feedback. A further opportunity for stakeholder consultation will be available through the future planning application. In addition, the consultation feedback provided has also enabled Arup and the Development & Delivery Service, who oversees the management of the Markets Service, to consider the capital and revenue implications of the proposals to ensure the project can be delivered within the current capital budget of £2 million and to minimise the operational costs of the changes.

At its meeting of the 31 March 2014, the Working Group was provided with feedback information from this second stage of consultation. Those design issues have now been incorporated into the final design, in so far as has been possible. For example:

- The renegotiation of the area of the market Exclusion Zone with Zurich / Threadneedle, allowing for a larger area of The Bridge to be utilised as part of the permanent Walsall Market, is close to completion;
- Catering and food vehicles have now been incorporated into the design to support the food offer;
- Zoning of the market is being considered, with a clear food zone for fresh and consumable produce alongside appropriate power, drainage and waste collection arrangements;
- The prominence of public art has been maintained, ensuring good legibility in key locations;
- Loading/unloading and access arrangements for the permanent market have been tested further; an appropriate vehicle tracking exercise has been undertaken as part of the design process;
- The layout of stalls continues to be considered; the attractiveness of all stall positions has been considered;
- Council officers have made visits to other markets to seek reassurance as to the robustness and suitability of demountable stalls in general; suppliers of similar products have been engaged with so as to understand the maintainability and longevity of such structures. This is an ongoing process that will continue to the point of planning application submission;
- The red line boundary of the planning application will be amended to focus upon the market area;
- A Highway Maintainability Audit is being undertaken for the proposed design, working to ensure the suitability of proposed materials. In addition, existing materials within the area that are able to be cleansed and reused as part of the new scheme will be, so far as possible.

Over and above the design elements discussed above, detailed consideration has been given to the viable operation of the future permanent market, for example:

- The Council is now in the process of developing revised and new management plans and arrangements for the operation of the existing and future market. The development of these plans/arrangements alongside a Market Design and Management Plan (a summary of which will be submitted as part of the planning application) will help to ensure the permanent market is successful;
- The Council is working to secure a clear understanding of the operational requirements of the proposals through Arup's work and is confident that the new Walsall Market presents no further revenue or capital implications than those which are currently addressed within the budget.

- Consideration continues to be given to the provision of trader storage facilities alongside the permanent market. A planning permission has now been granted for the demolition of 57,57a, 57b and 58 Lower Hall Lane, to facilitate temporary market storage on the site for 2 years. The current intention is to utilise this period of time to consider all options for permanent market trader storage.

## **Next Steps**

### **Role of Markets Working Group**

To ensure the success of the new Walsall Market, it is important for Markets Working Group to continue to be engaged and involved in the emerging workstreams. It is requested that Scrutiny and Performance Panel agree for the Markets Working Group to be re-established and work with Council Officers and Arup to finalise any outstanding details on the market design and layout that are required to reach the point of the submission of the planning application, including the incorporation in so far as possible of any final comments from key stakeholders and market traders.

One further request of the Markets Working Group will be to shape and inform the emerging Design & Management Plan for the market, ensuring that it is fit for purpose and satisfies the aims for both the existing and new Market.

The intention is to report to Cabinet in October 2014, further to Cabinet's approval in April 2014, to support the undertaking of more detailed design work to reach a conclusion on the Walsall Market Feasibility Study, and to take forward the findings of the Regeneration Scrutiny and Performance Panel in regard to the permanent location and design of Walsall Market. There is now greater clarity on the final design of the permanent market based on feedback from public, trader and stakeholder consultations, noting also that there are currently no known additional capital/revenue implications for existing budgets arising from the present proposals.

### **Trader Engagement**

A commitment has been made to hold a further Trader's Information Event on Tuesday 16<sup>th</sup> September 2014, to engage them in the final preferred design and explain the proposed timeline for the submission of the planning application and implementation thereafter. Our existing retailer/business networks will also be used to keep other stakeholders up to date on progress.

### **Proposed Timeline for Planning Submission**

We are working to the following timeline for the submission of the planning application for the permanent Walsall Market:

<b>4<sup>th</sup> Sept</b>	Scrutiny Panel & forming of Markets Working Group
<b>w/c 8<sup>th</sup> Sept</b>	Markets Working Group

<b>16<sup>th</sup> Sept</b>	Traders Information Event
<b>Late Sept/ early Oct</b>	Markets Working Group
<b>22<sup>nd</sup> Oct</b>	<b>Cabinet</b>
<b>Early November</b>	Submission of planning application
<b>Early Feb 2015</b>	Planning decision, dependent on Planning Committee dates

### Temporary Move

A temporary move of some existing market stalls will be required in the near future, in order to facilitate the necessary works as part of the Network Rail railway electrification project in Park Street, and also to reflect the recently renegotiated Market Exclusion Zone, that will exist on completion of the Old Square Phase 1 Primark unit. Approximately 12 stalls will need to be relocated by mid-February 2015 and, as with the previous temporary move, we intend to work closely with the Market Traders Association and affected traders to communicate the key information once the details of the requirement is clearer.

It is recognised that Walsall town centre is currently going through a much welcomed programme of development and change, with projects such as the redevelopment of Old Square Phase 1 now underway and the planned Norton and Proffitt development. It is acknowledged that this change can bring disruption. The Council will wish to ensure that it minimises the impact on existing businesses during this transitional period and so the implementation of the permanent market will be carefully planned to take account of any other development activity occurring simultaneously in the town centre. How this activity will impact can only be known as this project and others progress; should provisions need to be made to adjust and flex the timescales around different projects to support the town centre then this will be done in consultation with the Scrutiny Panel, the Portfolio Holder for Regeneration, and key stakeholders/ statutory consultees.

Arup are developing an implementation programme so that the Council and its stakeholders can understand how the market and town centre might continue to operate under a 'business as usual' premise whilst the future changes to improve the permanent market take place. Officers will share this with the Markets Working Group prior to the submission of the planning application.

Subject to planning permission being granted, the next step would be to appoint consultants to take the project through to the implementation stage, including the technical drawings that would be required. The appointment of consultants would be necessary due to the lack of skill-sets and capacity within the Council to undertake this work.

### Recommendations

That Regeneration Scrutiny and Performance Panel agrees to:

- a) the forming of a new Markets Working Group to:

- agree that decisions on the finalised design, further to the planned engagement with traders in September, are delegated to the Markets Working Group, to meet ahead of October 22<sup>nd</sup> meeting of Cabinet and prior to the submission of a planning application;
- endorse the approach to completing the final design based on feedback from previous public, trader and stakeholder consultations, noting that there are currently no known additional capital/revenue implications for existing budgets arising from the present proposals;

b) receive future reports setting out progress and more defined timelines, following the planning process.

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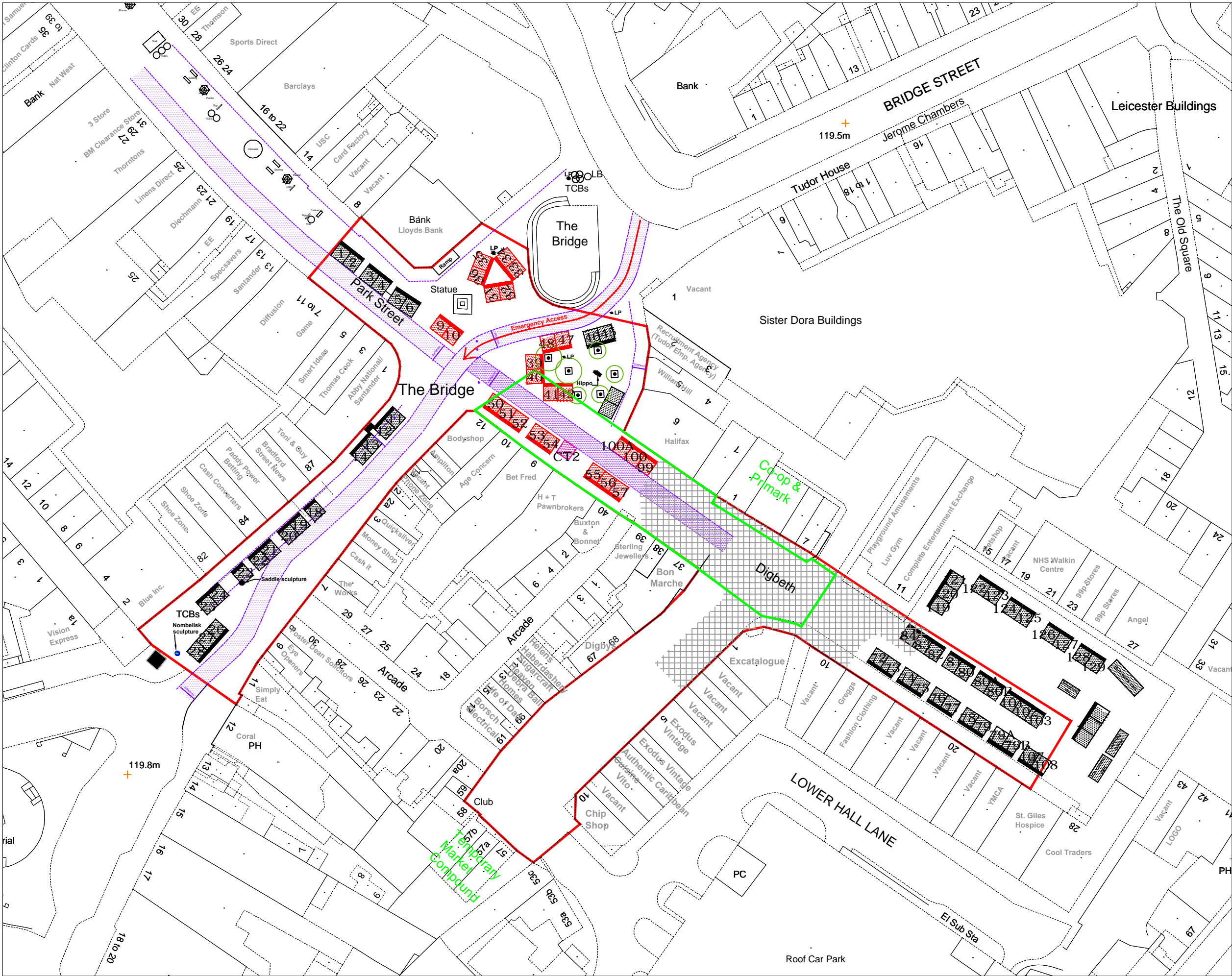
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# MARKET STALLS AFFECTED BY WORKS



key:

-  Red Line Boundary of current temporary Planning Permission for the Market.
-  Old Square Construction Zone
-  Emergency access only
-  Permanent Market Exclusion Zone
-  Existing stalls affected by works (Network Rail Electrification + Market Exclusion Zone)
-  Food concession van affected by works
-  Stalls not affected by works
-  Food concession vans not affected by the works (relating to vehicle sizes as shown )



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## REGENERATION - DEVELOPMENT & DELIVERY

PROJECT:	Town Centre with Walsall Market Location Plan		
LOCATION:	Walsall Town Centre		
DRAWING TITLE:	Market Stalls affected by Works		
SCALE:	NTS	DATE:	15th Sept 2014
DRAWN BY:	JG/HK	Plan No:	SK15092014-1





Legend Continued:

- Existing Post box to remain
- Directional Finger Sign
- External Cold Water Tap
- Modular Café/Refreshment stand. Occupier TBC
- Cycle stands - elements to be selected
- 4.0x4.0m removable canopies for external seating and eating areas
- Above ground recycle bins - concealed within surrounding open front enclosure
- 2000x2000mm hard wood clad tree and shrub moveable planters. 3m canopy
- Soft landscape planting:
  - Semi mature trees either in ground or in large planters (see above). 3m canopy

Red line planning boundary

Paving materials:

- Structural paving elements, in-ground silver grey flame textured kerbs 300x200mm laid flush on long edge in concrete haunch.
- Retail outlet thresholds and walkways, black fleck, rough-hewn textured 300x200x80mm block, double running elements to paving edges with infill material laid short edge to building facades in staggered bond
- Footways, silver grey (steel reinforced) textured 600x600x63mm units stacked
- Principal directional paving areas, mid grey block paving laid in herringbone pattern.
- Reused natural stone paving from existing scheme

Street furniture and lighting elements:

- 1500mm long wooden topped benches
- Feature Lighting Column up to 4.0m tall lighting - elements to be selected
- 1500x1500mm Resin bound aggregate
- Bollards cast iron 900mm tall
- Removable Bollards cast iron 900mm tall
- Litter bins - elements to be selected
- Relocated Existing Clock
- Existing Electrical or Telecoms Sub Box
- Existing Lighting column position retained
- Relocated Existing Lighting column position
- Stall Drainage Connection
- 16A Below ground power source
- 32A Below ground power source
- Entrance Feature/Flag pole
- General Stalls
- Food Stalls
- Food Vans (indicative position)
- Existing Telephone box to be retained

Issue	Date	By	Chkd	Appd
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Client

## Walsall Council

Job Title

Walsall Markets Relocation

Markets General Arrangement

Scale at A1 Not to Scale

Discipline Civil

Job No	Drawing Status
232986-00	Information

Drawing No	Issue
ARP-CH-100	

g:\global-arup.com\arup\midlands\proj\232986-00\Internal Project Data\403 Drawings\01 Drawings\A1-L-01-00-ARP-CH-100.dgn

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## Equality Impact Assessment (EqIA) for Policies, Procedures and Services

Proposal name	Permanent Walsall Market		
Directorate	Regeneration		
Service	Development and Delivery		
Responsible Officer	Simon Tranter – Head of Service		
EqIA Author	Emma Segal		
Date proposal started	October 2013	Proposal commencement date (due or actual)	TBC

<b>1</b>	<b>What is the purpose of the proposal?</b>	<b>Yes / No</b>	<b>New / revision</b>
	Policy	<b>No</b>	
	Procedure	<b>No</b>	
	Internal service	<b>Yes</b>	<b>Revision</b>
	External Service	<b>No</b>	
	Other - give details		
<b>2</b>	<b>What are the intended outcomes, reasons for change? (The business case)</b>		
	<ul style="list-style-type: none"> <li>Intended outcome is the creation of a new permanent location for Walsall Market</li> <li>Has involved finding a preferred permanent market location where the type and quality of the market would lead to an improvement in the overall attractiveness of the town centre</li> <li>A feasible, viable and financially sound design was required from the original commission in order to deliver a future planning permission for the preferred location and design option</li> <li>Innovative design to include the design of high quality town centre public realm improvements within the location of the permanent market.</li> </ul>		
<b>3</b>	<b>Who is the proposal potential likely to affect?</b>		
	<b>People in Walsall</b>	<b>Yes / No</b>	<b>Detail</b>
	All	<b>Yes</b>	Anyone that uses the town centre may be affected by the proposal (traders, the public, stakeholders, etc)
	Specific group/s	<b>No</b>	
	Council employees	<b>No</b>	
	Other	<b>No</b>	
<b>4</b>	<b>Summarise your evidence, engagement and consultation.</b>		
	<ul style="list-style-type: none"> <li>The main consultation exercise as part of this project: 388 people attended 2-day consultation event in March 2014</li> <li>82 paper responses were received with 4 online responses</li> <li>The majority of respondents support location of the market at the Bridge and</li> </ul>		

	<p>lower Park Street</p> <ul style="list-style-type: none"> <li>• 62 respondents support the location, 22 respondents do not support the location</li> <li>• 63 respondents support the proposed layout of the new market, 18 respondents do not support it</li> <li>• The majority of respondents rated the proposals as either “very good” or “good”</li> <li>• In addition to the above, all major landowners and all town centre retail businesses were invited to attend a ‘retailers presentation’ on 21 March 2014</li> <li>• 7 responses from retailers have been received to date whereby 6 of the 7 support the location of the Bridge and all 7 agreed with the proposed design and layout.</li> <li>• 45 market traders attended the event on 18 March 2014 and through round table discussions provided feedback.</li> <li>• Walsall Partnerships/Walsall Disability Forum/Talking newspaper were included and directly engaged throughout this process</li> </ul> <p>No comments were received re. access/mobility concerns</p> <ul style="list-style-type: none"> <li>• Once available, commentary re. numbers &amp; types of people that use the market will be added to this document</li> <li>• Further evidence to be added to this document, informed by the evidence base being gathered as part of the planning submission</li> <li>• Footfall survey data and comprehensive public, stakeholder and trader consultation and engagement throughout the project has closely informed the process</li> </ul>			
5	<b>How may the proposal affect each protected characteristic or group?</b> <b>The affect may be positive, negative or neutral.</b>			
	<b>Characteristic</b>	<b>Affect</b>	<b>Reason</b>	<b>Action needed Y or N</b>
	Age	Neutral		
	Disability	Positive	The preferred design and associated public realm works will take account of access and mobility requirements, making it easier to move around the markets area (improved surfacing, levels, uniform layout of stalls, etc)	
	Gender reassignment	Neutral		
	Marriage and civil partnership	Neutral		
	Pregnancy and maternity	Positive	As above – better access/mobility arrangements	
	Race	Neutral		
	Religion or belief	Neutral		
	Sex	Neutral		
	Sexual orientation	Neutral		
	Other (give detail)			
	Further information			
6	<b>Does your proposal link with other proposals to have a cumulative affect on particular equality groups? If yes, give details below.</b>			(Delete one) <b>No</b>

7	<b>Which justifiable action does the evidence, engagement and consultation suggest you take? (Bold which one applies)</b>	
	A	No major change required
	<b>B</b>	<b>Adjustments needed to remove barriers or to better promote equality</b>
	C	Continue despite possible adverse impact
	D	Stop and rethink your proposal

**Now complete the action and monitoring plan on the next page**

Action and monitoring plan				
Action Date	Action	Responsibility	Outcome Date	Outcome
09/09/14	Continued consultation via the planning process with the general public and disabled groups, Walsall Disability Forum	Local Planning Authority/ Development and Delivery Team	TBC	

Update to EqlA	
Date	Detail