

Cabinet – 23 January 2013

Response to the Regeneration Scrutiny and Performance Panel Report on Walsall Market

Portfolio: Councillor Adrian Andrew, Deputy Leader, Regeneration

Related portfolios: Councillor Tom Ansell, Transport and Environment
Councillor Chris Towe, Finance and Personnel

Service: Regeneration - Development and Delivery

Wards: St Matthews

Key decision: No

Forward plan: No

1. Summary

1.1 The report explains the outcome of the workstream that the Regeneration Scrutiny and Performance Panel has promoted in relation to the proposal to create a new, high-quality Walsall market. The Panel established the Markets Working Group to investigate the options for a new Walsall market, its permanent location, and ways in which the quality of the market offer can be improved to make a greater contribution towards the vitality and viability of the town centre as a whole, and to propose a way forward. The aim is to provide a market for the 21st century of a quality that reflects the aspiration to regenerate Walsall town centre, and deliver a positive economic impact to complement in particular the major retail investment proposed in the Digbeth / Old Square area. The Panel has considered the conclusions of the Working Group and made a number of recommendations to cabinet.

2. Recommendations

2.1 That cabinet note the conclusions of the Regeneration Scrutiny and Performance Panel and Markets Working Group that the future location of a new Walsall market be consolidated on The Bridge and Bradford Street;

2.2 That cabinet request officers to commission a feasibility and design study to assess the design and financial implications of creating a new market square on The Bridge, including the relocation of The Fountain, and an enhanced town centre public realm, all subject to the granting of planning permission;

2.3 That cabinet receive a future report outlining the outcome of the feasibility study, the process and timeline for the delivery of the project;

- 2.4 That all stakeholders, including market customers, retailers, investors and representatives of national and local market trade organisations, are consulted regarding the proposals, and as part of the consultation on the Issues and Options for the Walsall Town Centre Area Action Plan (AAP).

3. Report detail

- 3.1 At its meeting on 14 June 2012 the Regeneration Scrutiny and Performance Panel appointed a working group to lead workstreams aimed at reviewing the current position with Walsall's markets and identifying ways in which the markets can be enhanced to play a greater role in the attractiveness and prosperity of the town and district centres. It was acknowledged that the market was a key part of Walsall town centre's traditional attractiveness and that there was real opportunity to develop its role in the economic performance of the centre by reviewing the potential to create a new high-quality facility.
- 3.2 In particular, the working group agreed to concentrate its attention on the creation of a new Walsall market, its permanent location, and the type and quality of the market which would lead to an improvement in the overall attractiveness of the town centre. The new market would also enable additional trading days and events to be introduced to further increase the appeal of the town centre to customers. In addition, a series of comprehensive customer surveys with market traders, businesses and shoppers were to be undertaken to help to understand demand, inform decisions on economic viability, and identify sustainable improvements to Walsall, Willenhall and Bloxwich markets.
- 3.3 The working group appointed a consultancy team – GVA / The Retail Group – to advise on the options for the relocation of Walsall market and to make recommendations on the preferred option. Fundamentally, GVA concluded that, notwithstanding their advice on the location and nature of a new Walsall market, their research and engagement with stakeholders confirms that the market is an important part of the retail offer and that it contributes to the town's economic growth. The creation of a new market, building on years of history, would increase its popular appeal as an integral part of the retail destination and key economic driver in the town.
- 3.4 Walsall market is currently located in the area of Digbeth, Lower Hall Lane, Bradford Street and The Bridge and benefits from a temporary planning permission which expires in April 2013. More significantly the proposed major retail redevelopment schemes proposed by Threadneedle for part of Digbeth and The Old Square – a report on which appears elsewhere on your agenda - and Norton & Proffitt for the Digbeth / Lower Hall Lane area affect parts of the existing market which will need to be relocated. Indeed the proposed Threadneedle scheme requires an exclusion zone around the development which affects part of Digbeth and The Bridge. The drivers exist, therefore, for a comprehensive review of the potential long-term locations for the market.
- 3.5 The Working Group received and supported a presentation from the consultancy team at its meeting on 8 November which set out their analysis of the current market and its trading characteristics, the outcome of consultation with

stakeholders, an appraisal of options for the future location of the market and a preferred way forward.

Their objectives in fulfilling the brief were to:

- Define the optimum market for Walsall
- Develop a screening filter to assess the suitability of the suggested (and other) sites
- Identify the optimum permanent site for Walsall Market that retains / increases the financial health of the market and creates the environment to improve the quality of trade
- Develop a financial plan for the preferred option (including cost benefit analysis), as well as the base data underpinning its reason for selection
- Undertake a feasibility assessment of creating a permanent market on the recommended location, as well as produce initial concept designs as to how the market could look

The methodology used in achieving these objectives involved bespoke research of a number of key areas involving consultation with traders, retailers, property stakeholders and leading national markets organisations, a retail review, an appraisal of possible town centre locations, a review of best practice in markets, and a wider policy review.

- 3.6 The retail review considered an overview of the current location and environment of the market, its marketing and branding, and relationship with the remainder of the town centre both now and how redevelopment in the future will re-shape the centre.
- 3.7 Face-to-face customer surveys with market traders, major retailers, key stakeholders intending to invest in the town centre such as Threadneedle and Norton and Proffitt, and leading markets organisations such as the National Market Traders Federation were carried out. In addition, and as proposals emerge through the feasibility study, it will be critically important to the success of the project that a number of key stakeholders are fully engaged in the process.
- 3.8 Based on these findings a comprehensive review of alternative locations, both indoor and outdoor, for the market within the town centre was carried out; these locations included the Saddlers Centre, Old Square, High Street towards St Matthews church, Victorian Arcade, Jerome retail park, and the possible future link between George Street and Lower Hall Lane.
- 3.9 The conclusions include an appraisal of the existing market, a description of customer and stakeholder expectations for a successful market, the characteristics of what that successful market should include, the criteria used to select the optimum location for the market, and an indicative financial appraisal. The conclusions are that the market should:
 - Remain as a street market
 - Become more recognised, visible and accessible destination
 - Benefit from significant investment in stalls awnings and table tops and racking
 - Attract new traders

- Be reconfigured to provide a heart improving sightlines, point of arrival, and critical mass
 - Attract a more convenience food and café environment
 - Remain visible, accessible and close to key footfall routes
 - Benefit from improved signage
 - Be embedded in the community
- 3.10 The clear preference emerging from the work is to locate the market on The Bridge and Bradford Street, a location that scored significantly higher than those other options when assessed on visibility from prime retail frontages, proximity to core footfall, accessibility, capacity, policy compliance, and relevance of existing use. If, however, the proposal is to maintain a similar number of stalls and create an imaginative public space that can also provide events space, it would require the relocation of the fountain. The space should be the subject of innovative design including public realm and signing / street furniture improvements that can be fully scoped within the feasibility study.
- 3.11 In order to protect the council's investment in a new market it will be necessary to ensure that an effective maintenance plan is developed and implemented. The Executive Director of Neighbourhoods, in conjunction with the portfolioholder for regeneration, will prepare a detailed maintenance regime, linked to the wider maintenance of an improved town centre public realm, which will have explored options for how maintenance can be delivered in an innovative and cost-effective way. It is proposed this should be included in the feasibility and design study.
- 3.12 The project will be managed through a multi-disciplinary team representing the key service areas that will be involved in the feasibility and design of the scheme, and – subject to planning permission - its implementation and after-care.

4. Council priorities

- 4.1 The proposal supports the priority of developing the local economy by providing a modern, high-quality market in an optimum location that creates the best conditions for market traders to flourish and adds to the attractiveness and prosperity of Walsall town centre as a driver for economic growth.
- 4.2 The delivery of a new market is in line with the following objectives as set out in the Marmot Review:
- Give every child the best start in life
 - Enable all children, young people and adults to maximise their capabilities and have control over their lives
 - Create fair employment and good work for all
 - Ensure a healthy standard of living for all
 - Create and develop healthy and sustainable communities
 - Strengthen the role and impact of ill-health prevention
- 4.3 In particular an improved market will provide opportunities for entrepreneurship and job creation while the proposal to increase the proportion of traders selling fresh food will contribute to a package of measures that will create a more healthy diet and lifestyle.

5. Risk management

5.1 The proposal involves a number of risks which will be assessed in full detail as part of the proposed feasibility study and through consultation on the town centre AAP:

- Financial viability
- Removal and relocation of the fountain
- Demonstration that the new market will benefit the overall vitality and viability of the town centre
- Need for planning permission and the possibility of legal challenge to any such planning decision
- Stakeholder concerns

6. Financial implications

6.1 Notwithstanding that the capital costs of the works were estimated by the consultancy team to be in the region of £1.1m the preparation of a funding plan will follow the detailed assessment of costs to be considered in the feasibility study and which will be reported further on completion of the study. While the feasibility study will provide a more detailed cost profile the initial funding plan suggests that this investment will be made on an invest to save basis with additional income repaying the cost of the investment over a period of 10-15 years. In addition assumptions are being made in the consultants study that revenues have the potential to rise as a result of:

- Rent rises justified by the transformational improvement of the market and trading environment;
- An additional trading day;
- New revenues arising from the use of an events space.

6.2 Cabinet will be presented with a detailed funding plan as part of the feasibility study. In addition to the capital costs this will include the revenue requirements of maintaining the new market through a single, comprehensive maintenance regime, and an exploration of the options for best securing a step change in the quality of that regime.

6.3 It is envisaged that the proposed feasibility and design study will cost in the region of £40,000 which can be met from in-year underspend.

6.4 The implications of removing the fountain will need to be considered in relation to the use of external grant to help fund its original procurement.

7. Legal implications

7.1 The right to hold the existing market in Walsall stems from a grant by the Crown in 1586. The Walsall Corporation Act 1969 authorises the Council to move markets within the borough area. At least one month before any move is

implemented a notice must be placed in a local newspaper and notices displayed in conspicuous places advertising that the Council intends to move the market.

- 7.2 It is important to recognise that a site can only be legally designated for a particular use or activity through the planning system, by means of a grant of planning permission and / or a development plan allocation. In June 2011 cabinet agreed that work should be started on an AAP for the town centre and that consultations could be undertaken. Officers are working towards the completion of a document to consult on the Issues and Options facing the town centre and (following discussions with the Members Working Group) it is intended this should be published in March. This will provide the most appropriate mechanism to show to consultees across the whole borough the range of options that the council has looked at for the market and to present these in the context of the issues and options for other uses across the town centre as a whole.
- 7.3 This approach will provide the soundest basis to progress improvement proposals. At present the market is envisaged in Walsall's UDP (saved Policies WA2 and WA10) to be in Digbeth Square. Its relocation within the town centre will have impacts on businesses in various locations. For example, those that are close to the market could benefit from increased footfall whilst those who would be so close that their operations or profile could be impacted upon by the relocation might feel adversely affected. For such reasons, a future planning proposal could generate some opposition and might even lead to legal challenge(s) unless it is based on comprehensive evidence, which should include a demonstration that the council has properly considered all the options for the location of the market.
- 7.4 Once the results of the wider consultation are sufficiently clear they should be able to be put together with the results of the feasibility and design study to enable to council to decide whether and how to advance proposals, including through a planning application if appropriate.
- 7.5 The legal agreement between the Council and Zurich Assurance, as landowner, in respect of the proposed Threadneedle scheme involves an exclusion zone affecting part of the Digbeth / The Bridge area. That agreement is currently being prepared in order to help facilitate the redevelopment project. The precise location for the new market will therefore need to exclude this area, a factor that will form part of the detailed design and feasibility study.

8. Property implications

- 8.1 The feasibility and design study will consider the implications of removing and relocating the fountain and propose designs for new market stalls and street furniture.

9. Staffing implications

- 9.1 There are no direct staffing implications although it should be noted that a re-design of the markets service is separately underway in accordance with the

council's processes, partly led by the need to ensure that the service is reflective of the ambitions to deliver a high-quality Walsall market.

10. Equality implications

- 10.1 An improved market will be an asset to all sections of the community and will enhance the attractiveness of Walsall town centre for all.

11. Consultation

- 11.1 The proposed new market would involve a major investment in the town centre and affect a longstanding and traditional feature of Walsall's street scene. Such a change is likely to be of real interest to a variety of customers and other stakeholders who have an interest in ensuring, particularly with the need to maximise economic impact, that a vibrant and lasting street market contributes to a thriving town centre. Consultation with market customers, key retailers, investors, and representatives of national and local market trade organisations will be essential to ensure the success of the initiative. The Walsall Market Traders Association are aware of and support the proposals to create a new market and will continue to be engaged in the formulation of the scheme.
- 11.2 As well as through the feasibility and design study, the proposals for an improved market will form part of consultation on the Issues and Options for the Walsall Town Centre AAP. In future the scheme would require planning permission and the planning process will involve consultation with key stakeholders and the wider community.

Background papers:

Reports to the Markets Working Group and Regeneration Scrutiny and Performance Panel.

Report by GVA / The Retail Group on Walsall Market; Options Appraisal

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