

PRESENT:

North Ward:

Councillor D Bushby

East Ward:

Councillor Mrs J Gubb

Councillor J McKenzie (Town Mayor)

Councillor Mrs L Hellyer

South Ward

Councillor Ms R Clarke

Councillor S Inch

West Ward

Councillor C Hawkins (Chairman)

Market Complex Councillor P Lawrence

IN ATTENDANCE:

Mr R Coombes (Deputy Town Clerk)

Councillor P Christie (North Ward)

Councillor K Hind (North Ward)

1 x Tenant

51. APOLOGIES FOR ABSENCE

N/A.

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

There were no declarations of interest.

53. PUBLIC PARTICIPATION SESSION OF 15 MINUTES DURATION

An outgoing Butcher's Row tenant thanked the Town Council / Market Management Committee for the opportunity to trade from the Bideford Pannier Market initially as a stall holder, thence Studio Unit tenant and finally as a Butcher's Row tenant.

Despite moving to the High Street, they will look to trade from the Market in the future and will hold a selection of items from the Butcher's Row Shops (promoting the Complex).

54. MINUTES

Proposed by Councillor Hawkins and seconded by Councillor Mrs Hellyer, the Minutes of the Meeting held on 21 September 2023 were approved and signed as a correct record.

(Vote – For: 7, Against: 0)

55. ACCOUNTS

It was proposed by Councillor McKenzie and seconded by Councillor Mrs Hellyer, and

RESOLVED: That the lists of payments for 2 November 2023 be approved.

(Vote – For: 7, Against: 0)

56. CHAIRMAN'S / MARKET ADMINISTRATOR'S REPORT

a. The Chairman advised the National Market Trader Federation representative had intended to attend the Meeting but had withdrawn in the light of the extreme weather.

b. The Clerk advised that TDC had provided a letter entitled, "Events at Bideford Market Hall," to supplement the prevailing provisions and responsibilities withing the existing lease dated 30 November 1991. It grants sufficient authority to the Council to undertake the following:

• Hiring out or granting of licences to use the Hall for events and community activities to include:

- Wedding receptions, birthdays and similar events.
- Broadcasted sporting and social events.
- Music, bingo, pop-up cinema and comedy events.
- Christmas market and associated events.
- Community led events.

Bideford Town Council are required to obtain and maintain all statutory consents, permissions, insurances and licences relating to the uses within the market. For the avoidance of doubt this would include planning and licenced events (e.g. food and alcohol).

#### 57. LEVELLING UP FUND – MARKET HALL AUDIO SYSTEM

The Clerk confirmed the £2,000 payment from TDC (UK shared prosperity fund / Levelling up fund) in support of renewing the Market Hall Audio System.

It was proposed by Councillor Hawkins and seconded by Councillor Mrs Hellyer, and

RESOLVED: That a figure in the region of £2,500 (allowing for change to quotation prices) is made available to match fund the Regeneration Board sourced £2,000 to provide for an Audio System in the Market Hall.

(Vote – For: 6, Against: 0)

#### 58. SOCIAL MEDIA

Members discussed the rash of negative social media comments posted relating to the Market Complex by Market stakeholders generally and disaffected tenants in particular.

Points included:

- Negativity impacts the wider community.
- Personal attacks can be offensive cause upset affect reputations.
- Process needed to avoid evicting (long standing) tenants.
- Social media not specifically referred to in Lease / tenancy.
- o Nuisance clause.
- Revise / update Market Code of Conduct document.
- o To include social media reference.
- o Emphasise lines of communication, recourse to Chairman, Committee and officers.
- o Once agreed to be distributed / signed as having been received by all tenants.

It was proposed by Councillor Ms Clarke, seconded by Councillor Mrs Hellyer and

RESOLVED: That a new Code of Conduct document is produced for the Market Complex, to be signed for as having been received.

(Vote For: 7, Against: 0)

Councillor Ms Clarke agreed to work with the Clerk on the document.

#### 59. NOTICE OF MOTION

Submission by Councillor Hawkins.

“The Market Management Committee give control of bookings to the co-op (now a Community Benefit Society – Devon Traders Association Limited (DTAL)) for Tuesdays and Saturdays, the DTAL will supply weekly markets.

The DTAL will work with the Market Management Committee and potentially change their dates should a corporate booking conflict with a DTAL market day, an agreed time should be set for appropriate notice.

The DTAL will have the help of Tania Murphy from the NMTF (National Market Traders Federation)

The cost per table will be at 20%, the same as currently offered to SWEM, this will be re-evaluated in May 2024.

Meter readings would be taken both at the start of the day and the end, any resources used will be costed.”

The Chairman reiterated his Motion noting it presented an opportunity given that the Hall was now empty.

Councillor Lawrence explained that the Cooperative group of tenants had set themselves up as a Community Benefit Society, changing their name to Devon Traders Association Limited. He added that they were asking for people to make donations of twenty pounds a year in addition to raising monies through the “Bonus Ball” initiative.

Councillor Mrs Hellyer seconded the Motion noting that it was difficult to pay the £100 rental charge for the Hall, that the group had to start from somewhere (the Market can't attract enough people for Tuesdays) and are trying to expand.

She felt there was nothing to lose, (Market) traders are vital for other traders / tenants; the alternative is an empty Hall. She felt that the DTAL were more motivated and should be given a chance.

Further discussion points included:

- The first quarter of the year is the worst period for commerce (in the Market Complex).
- Reduced rate would provide opportunity to gain a foothold; continued work (to establish market) would benefit everyone.
- o Review after six months.
- The SWEMS engagement provided markets and events on behalf of the Council and immediate option following the loss the last Development Officer.
- They sought to engage traders for the Tuesday market with little success; there simply wasn't the take up.
- The DTAL are a collection of sole trader / businesses working in their own right.
- o Their business operation should not rely on subsidy.
- Cost of Market Hall utilities.
- Market Complex wider maintenance / officer costs.

The Councillor Mrs Hellyer called for a recorded vote.

It was proposed by Councillor Hawkins, seconded by Councillor Mrs Hellyer and

RESOLVED: That the Motion is not supported.

(Vote For: 3, Against: 4)

For: Against:

Councillor Hawkins Councillor Bushby

Councillor Mrs Hellyer

Councillor Ms Clarke Councillor Mrs Gubb

Councillor S Inch

Councillor McKenzie

#### 60. TENANTS REPRESENTATIVE'S REPORT

Councillor Lawrence explained that he had not canvassed the Complex tenants but alluded to the year on year decline in footfall and sales, impacted by the lack of draw presented by the absence of trading markets. He stated that the Tenants were frustrated with and not supported by the Market Management Committee

#### 61. PART II (CLOSED SESSION)

Proposed by Councillor Hawkins, seconded and

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

(Vote – For: 7, Against: 0)

Councillor Hind remained.

The Clerk read a letter from the NALC solicitor regarding Non-committee members that is attached and forms part of these Minutes.

The Chairman, supported by Councillor Mrs Hellyer, indicated his desire for Councillor Hind to remain; the remaining members acquiesced.

#### 62. CHAIRMAN'S REPORT

The Chairman had spoken to the Member Support / Business Development Manager of the National Market Traders Federation who advised caution in relation to regulating social media posts.

#### 63. TENANT / TRADER

a. The Clerk advised that the Tenant in Butcher's Row Unit 8 / 9 had served notice and that Butcher's Row Unit 18 would be fit for occupation week commencing 6 November 2023.

Proposed by Councillor Mrs Hellyer, seconded and

RESOLVED: That:

1. Ms A Jackson is offered the tenancy for Butcher's Row Shop Unit(s) 8/9.
2. Mr P Marsh is offered the tenancy for Butcher's Row Unit 18.

(Vote – For: 7, Against: 0)

b. Landlord / tenant matters. Members revisited the accountability of tenants posting social media comments to the detriment of fellow traders. They spoke of the deficit within the Code of Conduct in terms of (disciplinary) procedures / warning phases.

c. Complaint. Members had received a complaint from an individual who had been the subject of criticism in a social media stream posted by Butcher's Row tenants.

Proposed by Councillor Mrs Gubb, seconded and

RESOLVED: That the Chairman delivers a verbal (documented) warning to the identified Butcher's Row Tenants.

(Vote – For: 7, Against: 0)

#### 64. RETURN TO STANDING ORDERS

Proposed by Councillor McKenzie, seconded and

RESOLVED: That the meeting returns to Standing Orders.

(Vote For: 7, Against: 0)

The business of the meeting having been completed, the Chairman thanked the members for their attendance and the meeting concluded at 8.10 pm.

Sl. No.	PV NO	BIDEFORD TOWN COUNCIL - Paanier Market Accounts as at 2 November 2023		VAT	NET	TOTAL
		ALLOCATION				
BACS Payments						
1	004336	R Coombes	Petty Cash		41.50	41.50
2	7/11	Torrige District Council	Annual fee for Premises Licence		70.00	70.00
3	7/11	DCS Pest Control (Cornwall) Ltd	Service Contract for Rats and Mice for period 11 Oct - 11 Jan 24		120.00	120.00
4	7/11	Tanner Trading	Maintenance Items	28.71	143.56	172.27
5	DD	vedafone	Line Rental (Sep-Oct 23)	10.60	52.98	63.58
6	DD	triangle	Line Rental (Sep 23)	11.46	57.29	68.75
7	CC20	BF's Value House	Maintenance Items	0.50	2.50	3.00
8	CC31	Devondale Electrical	Maintenance Items	13.55	67.77	81.32
				<b>64.82</b>	<b>555.60</b>	<b>620.42</b>
		<b>Bank Balances at 2 Nov 23</b>	<b>- Current Account</b>	<b>13,566.47</b>		
		<b>Bank Balances at 2 Nov 23</b>	<b>- Deposit Account</b>	<b>38,065.36</b>		

Minute Number 61. NALC Solicitor, Non-committee members.