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## **Economic & City Development Overview & Scrutiny Committee**

7<sup>th</sup> December 2010

### **Newgate Market Review – Draft Final Report**

#### **Background**

1. At a meeting of the Economic & City Development Overview & Scrutiny Committee held on 14<sup>th</sup> July 2009 Members received the 2008/09 Outturn Report – Finance and Performance. This reported a shortfall in income at Newgate Market following a trend of reduced stall take up and a national decline in the popularity of open markets. Members expressed an interest in receiving further information on Newgate Market and received a further briefing note on 29<sup>th</sup> September 2009. On consideration of this it was agreed to undertake a review on Newgate Market and in coming to this decision the Committee recognised certain key objectives and the following remit was agreed:

#### **Aim**

2. To investigate possible ways of improving the existing stall market and its surrounding area currently occupied by Newgate Market as a contribution to the Renaissance Team's work and the Footstreets Review, enabling them to recommend new designs and roles for Newgate Market and the associated public realm.

#### **Key Objectives**

- i. To receive information from the Renaissance Team about its work plan; particularly in relation to Newgate Market
- ii. To investigate comparators to Newgate Market (what makes a good market, what constitutes good practice)
- iii. To investigate potential, immediate, short & long term development of, improvements to and usages of this area
- iv. To look at the income generated by Newgate Market

#### **Context of the Review**

3. The spatial element of Newgate Market (spaces in and around, and accesses to it) will be formally considered as part of the statutory Local Development Framework (LDF) through its daughter document the City Centre Area Action Plan (CCAAP). With an agreed remit to feed into the CCAAP, a Renaissance Team had been established by the City of York Council and Yorkshire Forward (who are providing the finance) to investigate and put forward proposals in relation to the city centre public realm. This will not just focus on spatial/design

issues but will address what uses might be encouraged, by whom and at what time of day.

4. Also underway is the Footstreets Review, which is looking at how Newgate is accessed at different times of the day. As with CCAAP, consultation on the review is already underway with city centre businesses already looking forward to the next stage of the review.

## **Consultation**

5. Relevant officers within the Economic Development Unit, Property Services and Communities and Neighbourhoods have been consulted as part of the review process. North Yorkshire Police were consulted in relation to crime in the area.
6. A representative from the National Association of British Market Authorities (NABMA) addressed the Committee at a meeting held on 24<sup>th</sup> March 2010 and the discussions arising from this are detailed within this report.
7. The aim of this review was to feed into the work already being undertaken by the Renaissance Team. The Committee, therefore, decided not to consult with traders and users of the market, as they understood that this was being done as part of the CCAAP and the Footstreets Review.

## **Site Visits**

8. In addition to considering information directly associated with the five key objectives of the remit the Committee undertook two site visits to Newgate Market and the surrounding area on 24<sup>th</sup> March 2010. The first of these visits took place during the day whilst the market was in operation; the second took place in the early evening after the market traders had left for the day.
9. The City Centre Manager showed the Committee around the market whilst it was in operation and provided them with the following background information:
  - Since 1996 the market has operated on 7 days of the week and is open every day of the year except Christmas Day, Boxing Day and New Year's Day.
  - There are currently approximately 100 stalls on the market with 65 midweek licensed stalls and 27 on a Sunday. On average, there are 7 casual traders per day.
  - Stall occupancy currently stands at over 80%<sup>1</sup> (with a performance indicator of 74%). Newgate Market has its most traders on a Saturday with 63 licensed stalls, plus casuals leading to an average occupancy rate of 88%. The least traders are on a Monday with 29 licensed stalls and a small amount of casual traders with an average occupancy rate of 35%.
  - The fees and charges structure was reviewed in 2009 and appears to be competitive.
  - The income from Newgate Market is approximately £450,000 per annum

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<sup>1</sup> As of November 2010

- Specialist and event markets occupy Parliament Street for 95 days per year and the income from these is approximately £100,000 (this is for markets only and does not include income from promotions, pavement cafés, commercial lettings and other events).
  - There is an advertising budget of approximately £14k, spent in many different ways
  - There is no local representation of the National Market Trader Federation
  - Many of the traders only operate during Footstreet hours and the market, therefore, finishes early in the day. Traders' commitment to the market and its operation are variable.
  - There is little security in the market area
  - Site maintenance is difficult as the market operates 7 days a week and storage of market equipment is problematic as there is little available space.
10. A site visit was also undertaken on the evening of 24<sup>th</sup> March where it was noted by Members that the area seemed to be poorly lit and being used as a free car park. Members of the Committee, who attended this site visit, did not feel that this was an inviting place to be during the evening.
11. Discussions during the site visits highlighted concerns around whether the markets operate on too many days, whether there were too many stalls, accessibility, awareness, traders' commitment, evening use of the space and the general 'offer' the market provided.
12. These are set out in more detail under the relevant key objectives below. Further information can be obtained via the documents considered as part of this review and these are available on request. A list of reports/documents considered is at Annex A to this report.

### **Information Received on Key Objective (i)**

#### **To receive information from the Renaissance Team about its work plan; particularly in relation to Newgate Market**

13. At a meeting on 24<sup>th</sup> March 2010 the Committee received a presentation from a City Development Officer, outlining the recent progress on the economic masterplan and vision work, as developed through the Renaissance Team and funded by Yorkshire Forward. This is now available on the Council website. The goal was to produce a City Centre Masterplan that would:
- Articulate spatial vision and objectives
  - Integrate new development and regenerate peripheral areas
  - Combat economic decline and stimulate recovery
  - Improve access
  - Make improvements and connections through a public realm and accessibility framework
14. Members were informed, that to date public consultation had taken place on various issues and options in relation to the City Centre Area Action Plan. This included specific questions on Newgate Market which established that the public (who responded to the consultation), felt that:

- The Newgate Market space is not flexible and does not allow for multifunctional uses. Respondents to the City Centre Area Action Plan consultation indicated that they did not want the location of the market to change. They had however, indicated that the site currently had some negative aspects.
  - It is not an active area at night. The market closes at around 4pm and there is nothing to draw people in to the area after that time, giving rise to unwanted activities and car parking at night
  - It is a poor physical space that looks shabby with too many empty stalls and too much litter making for a tired looking market
  - It feels disconnected from the areas around it
  - Access to and from The Shambles was uninviting
15. Information given to the Committee by officers suggested some ideas for improvements to the area and the key themes of these are listed below:
- Reduce the number of stalls and have good quality removable/pop up stalls
  - Provide a quality product offer, perhaps themed days
  - Use the area for more activities in order to attract people to the space. Have more outdoor seating, lighting and a performance space
  - Consider glazing all or part of the area to allow different uses at different times of the day

### **Information Received on Key Objective (ii)**

#### **To investigate comparators to Newgate Market (what makes a good market, what constitutes good practice)**

16. Following on from this Members received a presentation from the National Association of British Market Authorities (NABMA)<sup>2</sup> addressed the Committee at their meeting on 24<sup>th</sup> March 2010. He informed them that nationally there had been a decline in outdoor markets however; indoor markets were generally doing well.
17. The Committee received a presentation from him, which concentrated on the three most significant stakeholders in a market namely the Council, the public and traders and what their expectations of a market were.
18. **The Council** as operator of a market or markets generally has a monopoly and this can lead to a disincentive to manage it well. The Council would generally want their market to be a tourist attraction, attractive to residents, an employment opportunity, animated, sustainable, issue free and fully let.
19. **The public** as users of the market generally want value for money, quality products, good customer care and one to one contact, a nice atmosphere and a clean and attractive environment.
20. **The traders** need the market to be viable and profitable and well located with a high footfall. The fees and charges need to be competitive and realistic and the

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<sup>2</sup> The representative from NABMA was also the markets manager at Sheffield City Council

area needs to be easy to access for loading and unloading their products onto and off stalls. It also needs to be well promoted.

21. In summing up, the representative from NABMA suggested that the Committee might like to consider the following:
  - Whether the market was in the right location
  - Whether the Council were making the best use of the space available
  - Whether the canopies currently in use let in enough light or whether they were too dark and led to a feeling of the space being claustrophobic
22. Members also considered, as an example, recent transformations that had been made at Northampton Market. The market had been hit by changes in shopping patterns, business had reduced and stalls were standing empty. Overall, the appearance of the market was drab and uninviting.
23. In order to make the area look fresh and more appealing new canopies were fitted to the fixed stalls to give a fresh and modern look, the number of stalls was reduced on the least busy days of the week and the market was expanded at the weekend when it was at its most busy. An events and exhibitions space has also been created, which when not in use, can be filled with parasols and eating areas with units selling a variety of different foods.
24. The historic buildings around and the alleyways leading into the market square have been illuminated with coloured computerised lighting making them more safer and inviting. This lighting also emphasises key features on building facades. Colour change LED lights have also been used alongside unique animated projections. In addition to bringing a dramatic and welcoming effect to the centre of the town, the lighting is environmentally sustainable and it is hoped that it will bring large energy savings, maintenance cost savings and crime reduction.
25. Initially, a robust plan of action and business plan were developed to attract external funding and delivery was achieved through West Northamptonshire Development Corporation investing £900k. The LED lighting costs amounted to £354k provided by West Northamptonshire Development Corporation and £60k through Arts Council of England Funding
26. Members discussed the information in relation to this and recognised that there were some similarities between Northampton and Newgate Markets. However, the two market areas were very different in shape and size and it did not appear that Northampton had the same problems in terms of accessibility. It was noted that Northampton market had originally had semi-permanent market stalls that were difficult to move. Now they use 9' x 9'6" demountable stalls that are stored and put up by the market. The market was open six days a week with fixed hours of operation.

### **Information Received on Key Objective (iii)**

#### **To investigate potential, immediate, short & long term development of, improvements to and usages of this area**

27. Discussions at several informal meetings were based upon the premise that the Newgate Market area of the city was currently under resourced, under used and had unrealised potential. Possible ways of reinvesting in and regenerating the area were discussed, with the aim being how to make the area more attractive and active both during the day and the evening. Details of all the Committee's comments on the information received are set out under the themed headings below:

#### **Should there be a market and if so, what type of market?**

28. The first point that Members considered was whether there should be a market in York at all. It was unanimously agreed that there should be and that it should be a general retail market which would ultimately be beneficial to all those that used it, but particularly for local people. Members felt that both Parliament Street and Coppergate offered themed and specialist markets and there was no further need for any other markets of this nature. They wanted to retain a traditional market within the City and it was not their intention to attempt to recreate an area like Covent Garden.

#### **Is the market currently in the right place?**

29. Members discussed other possible locations for the market and were informed by officers that currently the market can only legally be held in Newgate (its current location) or Parliament Street. Further discussion established that there were very few, if any, alternative spaces in the City that could be used as a permanent market place. Members therefore explored, with officers advising, the positives and negatives of keeping the market in Newgate or moving it permanently to Parliament Street.
30. Officers advised that there were currently over 200 days of events, markets and other activities (specialist markets, farmers' markets, promotions, rentals from pavement cafés, commercial lettings & other events) in Parliament Street per year creating an income of in excess of £200,000 per annum. As the specialist events and markets attract many visitors to the City, their income, appeal and offer could be lost or negatively affected should they be moved to either Newgate or other parts of the city.
31. Members also discussed the fact that the specialist markets and events were only held for short periods of time; this meant that if they were moved to Newgate Market the area would be empty for a considerable number of days in the year. This may allow for the space to be used for further events or as a performance area but it could equally mean that it could stand empty. Using the space for other events or performances (especially on an evening) could bring a different set of problems in terms of noise issues that could potentially affect those residents living above city centre premises (especially those in The Shambles).

32. The pavement cafés within the market area were popular (although they often closed early). If the market were to relocate to Parliament Street then these would be lost as there would not be enough space to accommodate them. Keeping the market in Newgate, and redeveloping the area, offered the potential for more pavement cafés and for those premises in the Shambles to open up the backs of their shops to set out tables and chairs.
33. Members felt that if the market were moved to Parliament Street on a permanent basis then it may well detract trade from other stores in the area. The Assistant Director highlighted the profitable use of Parliament Street for specialist markets. Given the occasional use of this space for such activities, this also enables a range of other events to be undertaken in Parliament Street over the course of a year. The City Centre Manager also said that he regularly attended the local retailers' forum and they very much valued the specialist markets that currently took place in Parliament Street.
34. If the market were to be permanently moved to Parliament Street then there would have to be a decrease in the number of stalls offered due to spatial constraints. Newgate Market, in its present location, had 100 stalls; if the market were to move to Parliament Street there would be a maximum of 50 stalls. This could potentially have an impact on the number of traders, choice of goods and income generated.
35. Moving the market would also make Parliament Street appear cluttered on a permanent basis, rather than temporarily when specialist markets and events were being held. It would be very difficult to move the market to Parliament Street in its current state although Members were aware that the 'clutter' in Parliament Street would be addressed through the CCAAP.
36. Some Members of the Committee felt that the market traders may chose to sell different types of goods if they moved to Parliament Street. This could change the 'general retail' nature of the market, which is not what the Committee was aiming for.
37. After taking all of the above into consideration the Committee agreed that the market ought to remain in its current location.

### **Accessibility & Entrances**

38. After determining that the market should remain in its current location Members considered the need to improve accessibility to the market area and, with officers, discussed potential ways of doing this.
39. Generally Members felt that the access points to the market place needed to be more inviting, more open and more cheerful and should add an inviting ambience to the market area to draw visitors in. They felt that the specialist and events markets in Parliament Street were often perceived to be easier to find than Newgate Market itself. They felt that this could be addressed by improved signposting to Newgate Market and improvements to the 4 main entrances to the market (Jubbergate, Silver Street (the main vehicular entrance to Newgate Market), Patrick Pool and Kings Square).

40. Members discussed the Jubbergate entrance to the market and whether the stalls currently occupying this corridor should be moved in order to open up the entranceway and make the market more noticeable from Parliament Street. It was agreed that it was difficult to approach the market from this point, especially for people with pushchairs and those using wheelchairs. The layout of the stalls made the approach look cluttered and Members discussed the possibility of having a single row of stalls here rather than a double row. Officers advised Members that this could create security problems for the stallholders and it was much safer to have the stalls back to back.
41. However, it was noted by the Committee that the stalls in Jubbergate could also be seen as advertising the market and thus drawing people into it. The flower stall at the entrance to Jubbergate was attractive and advertised that the market was there, although some Members thought it blocked the entranceway too much. It was also noted that the stalls in Jubbergate raised a good income for the market and were always 100% let.
42. The Silver Street entrance to the market was the main vehicular entrance for the market traders at both the beginning and end of the day. This was also the entrance used in the evening by drivers who used the market area for parking. Members felt that this entrance could be more of an integral part of the market. Until recently there had been two large and unsightly containers along this route. These had been used to store market equipment. They had now been moved and the equipment stored in the old public convenience block in Parliament Street. Members agreed that Silver Street should be used as a more major pedestrian access to the market and could be lined with smaller stalls to draw people in. They felt that improvements in Silver Street could be part of any short-term solution to generate more income for the market and generally make the area more attractive.
43. Footfall in some parts of the market area was good but in others was very poor. For example, Newgate Market was almost invisible from The Shambles which being one of York's most famous streets, had a high footfall. There were several small Snickleways running from The Shambles into the market area but these were uninviting and it was not always obvious that these led into the market place.
44. There were also more general accessibility issues for the traders themselves, with many of the current stalls being hard to access; especially in terms of loading and unloading and moving heavy goods around.

### **The Market Stalls**

45. Currently the market is comprised of fixed, canopied market stalls of varying sizes and 6 permanent, brick built units.

#### **The fixed, canopied stalls**

46. At the moment there is little flexibility in the current fixed stalls and if they were to remain then further consideration would need to be given to their layout and the spacing between them. The aim would be to have stalls that were light, airy and attractive looking in order to draw people into the area. Members felt that



in order to maximise space and potential uses of the area at quiet times or outside of market trading hours removable or pop-up stalls may be more appropriate. These could either be taken away by the trader at the end of each day or dismantled and stored by the Council; both options would need to be given further consideration as to costs, practicality and storage.

47. Discussions were had regarding potential stall types and several were suggested:
- The main area of the market place could look better with a different type of stall to that currently in use. The present stalls are fixed, inflexible and cannot easily be cleaned. Removable stalls would allow for the area to be used for other activities as well, both during the daytime and the evening. A new type of stall may also be attractive to some traders who might like to take the opportunity to change the size and type of stall they have.
  - Empty stalls did not make the area look attractive. As the market was not always fully occupied it was suggested that, as a short-term measure, approximately 12 of the present stalls could be removed without impacting upon the market's income. This would open up the area, creating more space between the stalls and making the market look fully occupied. However, Members were advised to carefully consider removing too many stalls as it would be easy to affect the income of the market. There were some days when the market ran at 100% or almost 100% (particularly on a Saturday) and removing stalls could have a negative impact on this.
  - Lockable, fixed stalls – these may be suitable for the rear of the market place (near the Marks & Spencer's building). Whilst improved security would be needed it would allow some traders to leave their goods in a secure place without having to load and unload everyday. This type of stall may also go some way to brightening up an area of the market that was currently underused and dingy looking. Traders may be willing to stay open later if they did not need to pack their goods into a van. It was realised that this kind of stall might only be suitable for static market traders who did not sell at other markets. It was also noted that lockable stalls were used when the continental market came to Parliament Street.

#### Types of Stall and Potential Costs<sup>3</sup> of Replacing the Stalls

48. A market with 50 new fixed stalls and an upgraded electricity supply would cost approximately £140k (leaving the area nearest Marks & Spencer's and the area near the brick built stalls free)
49. Demountable stalls in the centre square area of the market would cost approximately £1k each (£50k for 50 stalls) and pop up electricity supply would cost approximately £60k ((leaving the area nearest Marks & Spencer's and the area near the brick built stalls free). If this were a preferred option then the Council could sell the new stalls onto the traders for them to erect, maintain and dismantle themselves. This would be almost cost free to the Council apart from the cost of providing pop up electrical supply. However, both officers and

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<sup>3</sup> All costs are approximate

Members did not believe that this would be a popular way forward with market traders.

50. Alternatively the Council could provide the stalls and traders could collect them from a central store (possibly located towards the rear of the marketplace). Traders would, however, still need to erect the stalls themselves. This would entail an approximate outlay of £50k to purchase the stalls and the cost of an electricity supply (approximately £60k). The new storage area would cost in the region of £20k.
51. The most expensive solution would be for the Council to provide, maintain, store, erect and dismantle the stalls themselves. In addition to the costs of purchasing the demountable stalls and the pop up electricity supply further costs of £1800 per week in labour costs would be incurred (based on 2 persons, 6 hours a day, 6 days a week).
52. Lock up units (solid structures similar to the existing meat and fish stalls) would cost approximately £5k each.
53. Alternatively the City of York Council's Regeneration Architect suggested using 'sculpted' stalls, which would not only act as stalls for the traders but also as works of art which could enhance the public realm in the area. These could be obtained at a cost of approximately £4,750 each (on the assumption of 4 units), but the price would decrease if there were more. There would also be a one off design fabrication cost of £5k. This type of stall would be robust, pop-up and have minimal moving parts. They could be 'closed' at nighttime and used as an art installation with illumination.
54. In general Members very much liked the idea of the sculpted stalls and liked the flexibility they afforded. There were concerns regarding vandalism and graffiti if they were to be left out permanently. However, they did not feel that this should deter from making a vision for the area or wanting to use the marketplace in the evening. As the area was semi-residential it would be difficult to use the space at night for 'noisy events' but an outdoor Art Installation may be a possible use for the space and may enhance the evening economy in the area.
55. Members saw this type of stall as something that could be incorporated into the longer term plans for the area. A suggestion was made that this type of stall could be trialled in the Jubbergate area of the market. It was known that this area was cramped and difficult for pedestrians to move in; the sculpted' stalls would be narrower than those in place at present and could, therefore, help ease congestion in this part of the market. Members also noted that the design of any stalls of this nature must also be practical and useable for the traders.

#### The brick built stalls

56. There were six brick built, fixed stalls within the market place selling cheese, fish and meats. The stalls were currently leased directly to the stallholders by the Council's Property Department and the income from the leases did not form part of the market's income. The annual income from these stalls amounted to £25k per annum in total. The Council are responsible for

structural repairs and the tenants for day-to-day repairs. The 21-year leases on the stalls are due to terminate at the end of 2012 however, there are no formally approved future plans for this area.

57. The Committee realised that there was a need for some fixed stalls on the market place, especially those that needed refrigeration facilities. Should these stalls be redeveloped as part of any market improvements, the Property Department would need to be involved in any discussions and there would be a possibility that compensation would need to be paid to the present tenants.

#### Stall allocation

58. At present there is a two-tier system of stall allocation. Initially stalls are let on a casual basis and there is a points system in place; stall allocation is dependent on the number of points a trader has. Four weeks of casual trading can lead to a permanent stall. Stalls can be passed on through families but cannot be sold and are entirely based on seniority. The City Centre Management Team also try to ensure that the same goods are not sold on neighbouring stalls. They do have a certain amount of discretion when it comes to stall allocation but processes do need to be transparent.
59. It was also noted that different traders used the market on different days of the week which created the effect of the market having not only different goods on different days but also a changing atmosphere; for example, there is a very different feel to the market on a Sunday as it is not popular with traders who sell perishable goods.

#### Stall Occupancy

60. Members were provided with figures in relation to stall occupancy on the market. During January 2010 on average 72% of stalls were occupied increasing to 83% by June 2010. The latest figures (November 2010) show the market as operating at a weekly average of 83% stall occupancy. These figures were then broken down for each day of the week, except Sunday, with Saturday being the day with the highest stall occupancy.

#### Surrounding buildings

61. The market place is a relatively enclosed space being surrounded by both medieval buildings and more modern buildings (such as the large Marks and Spencer's store). The medieval buildings, some of which were owned by the Council, tended to be shabby looking at the back and, as this was the side of the buildings that could be seen from Newgate did not add to the ambience of the area. They had the effect of making the area seem run down and uncared for. Members felt that better use could be made of the surrounding buildings, especially those that faced onto The Shambles. There was potential for these buildings to open up at the back as well and some of those that were already trading as cafés and restaurants may also like to have pavement café areas facing into the market.
62. Whilst Members were mindful of the fact that creating more entrances into these buildings could bring about some security issues they did feel that they

could be used as a catalyst for change. The Council owned some of the properties along The Shambles and therefore could have a significant amount of influence in shaping how these buildings could more readily interact with the market.

63. The area towards the rear of the market was currently felt to be undesirable. It was also at the furthest point from the four main entrance points and was the most underused area of the market. Members suggested that further discussions could be undertaken with Marks & Spencer's about how best to rejuvenate the space towards the rear of their building and how to encourage them to be more involved with the market area generally. The possibility for using this area as an open-air café was also suggested as was installing lockable stalls.

### **Maintenance & Cleansing**

64. In 2007 new directorates were formed within the City Council and all city centre cleansing, along with the budgets from the various cost centres were transferred to the Neighbourhood Services Directorate; except for the market who retained their allocation of the budget. However, to maintain the same level of staffing in the city centre as a whole, it was necessary to charge the market the amount of their allocated budget (approx £91k per annum).
65. Members learned that cleansing in the market place was now undertaken on an ad hoc basis rather than by a dedicated team of staff who could react to situations when required. At the moment there were few incentives for the traders to recycle and generally all waste was compacted and sent to landfill. The ultimate aim was for the market to be a 'zero waste' area. The market dustbins were only emptied at certain times of the day rather than when it was actually needed. Outside of Footstreet hours these had to be pushed through Silver Street to a collection point.
66. Members discussed the possibility of storing refuse underground as often happens on the continent. They were aware that there were some disused underground public conveniences in St Sampson's Square that it may be possible to use for this purpose. However; they realised that storing waste underground may not be practical in York and would most probably be cost prohibitive
67. There was a desire amongst officers to achieve an improved city centre-cleansing regime and to support a proposed Service Level Agreement (SLA) for the marketplace to improve cleansing and to divert waste from landfill. This would need to be achieved within the existing £91k budget. A new regime has now been agreed with City Centre Management, which is to be trialled and costed in December 2011.
68. Members felt that the present market area was claustrophobic with the canopies not letting in enough light. The canopies were not cleaned often enough and appeared to be very dirty. Officers explained that because the market was in operation seven days a week it was difficult to find a convenient time to clean the canopies and the market area in general. The market used to have its own dedicated cleaning team and this had now been lost. This loss

had also had a knock on effect in terms of general maintenance on the site as the dedicated cleaning staff also used to undertake all sorts of different and useful tasks throughout the day.

69. In light of the information and discussions above Members realised that there was a need for the proposed Service Level Agreement (SLA) to be put in place as soon as possible and to give consideration to closing the marketplace once a quarter for deep down cleansing. It was suggested, that with enough notice, the market might be able to be held in Parliament Street on these days.

#### **Storage for market equipment**

70. Since the storage area in Silver Street had been displaced by the provision of the new public toilets there had been a problem with how to store market equipment. Until recently there had been two large and unsightly containers in Silver Street containing market equipment; although these had now been moved. There was also a storage area within the disused public conveniences in Parliament Street. The future of this building was unknown but it was unlikely that it could be used for storage outside of the short term. There were also health and safety issues with moving heavy equipment up and down the stairs. There was, therefore an urgent need to find a suitable place to store market equipment in the long term.
71. The outline business plan prepared by officers at an earlier point in this review mentioned that there was a possibility of a bespoke, purpose built storage compound towards the rear of the market and consultation was currently taking place with Neighbourhood Services regarding this.
72. Members felt that the use of demountable stalls that could be taken away by the trader might help solve some of the storage problems being experienced. However, if any demountable stalls were to be retained by the Council then there would need to be an appropriate place to keep these.

#### **Hours & days of operation**

73. Members considered the hours and number of days the market was in operation for. Officers had earlier advised them that the market was open seven days a week, every day of the year apart from Christmas Day, Boxing Day and New Year's Day. The representative from NABMA had indicated to members that other markets (Hinckley being an exemplar) were only open for three days a week. He advised that keeping the market in operation seven days a week might not be viable and could lead to a market being considered 'boring' and 'stale'. He felt that this is why there was a more bustling feeling when the specialist events markets came to the City.
74. The fact that the market was in operation for much of the year also led to problems with maintenance, cleansing and cleaning the canopies as there was very little time in which this could be effectively undertaken. Members thought that if the market remained in its present state then it would need to close occasionally to allow for proper maintenance and cleaning to take place.

75. The Committee felt that attendance at the market and the hours of its operation were entirely controlled by the traders and the Footstreet hours. As soon as Footstreet hours ended the traders tended to bring in their vans, pack up their stalls and leave. This effectively closed the market at around 4pm each day. The presence of vehicles within the market place made it unattractive for pedestrians and shoppers. There was also a tendency for the burger vans and pavement cafés to close at around the same time leaving the area standing empty and unappealing.
76. Members suggested that this might be improved by the market and pavement cafés continuing to trade into the early evening. This could encourage people to stay in the market area and help to boost the evening economy. The Committee appreciated that if they wanted to develop the evening economy in this area then there would need to be incentives for the traders to stay on; one way of doing this would be to offer a financial incentive.
77. However several Members had concerns that some market traders (especially those selling fresh produce) had already had very long days and longer trading hours may not suit them. Members considered the possibility of double letting stalls but this was not thought to be possible with the present Footstreet hours in place. It was noted that under the Footstreets Review, the Footstreet hours may well be extended and there may be opportunities for different letting stall letting arrangements at a later date.
78. Members asked officers whether there were any markets where there were fixed hours of operation and were informed that there were. They asked that consideration be given to the practicalities of introducing fixed trading times at Newgate Market. Officers thought that traders would be happy to stay later if the footfall was there and the environment was right. There was also the possibility of asking traders to sign up to 'terms and conditions', including trading hours. If the hours of operation were amended in this way then, although difficult to start with, both traders and the public would get used to the new way of working.
79. Members also suggested that as a short-term measure, and to help improve the market, a one-day a week trial of late night opening could take place. If local retailers also joined in with the trial it would be beneficial. They believed that if the footfall was there and the environment was right then the trial would work. However, it was the Council's responsibility to create a clean, light and ambient atmosphere in the area for the trial to take place.

### **Other Possible Uses of the Marketplace**

80. As can be seen from discussions detailed above Members have had many ideas for the use of the space at Newgate Market. Below are others that were discussed as possibilities:
  - Members discussed the fact that the area could be used for different activities at different times of day. If the area were used for public events or as a performance space in the evening then residents living in the buildings along The Shambles may be affected by noise. However, if the market was not in operation seven days a week then it may be appropriate to use the

space for daytime events and performances. King's Square, St Helen's Square and St Sampson's Square were already used as performance spaces and some Members felt that any new space would need to offer something that these performance spaces didn't.

- The land towards the rear of the market could be used for cycle storage
- Creating a walled garden – with stall re-location and rationalisation it would be possible to create a small walled garden at the Marks & Spencer's end of the market.
- Duplex level, high-density housing with a roof garden space – this would provide an alternative use to the 'dead space' within the market at the Marks and Spencer's end. Any capital receipt generation through such a scheme could part finance market improvements.

### **Other Areas of Discussion**

81. Members also discussed many other ideas and aspirations as part of the review and these are detailed in the paragraphs below:

#### **Glazing the market area**

82. Members discussed the possibility of glazing or partially glazing the market area. They were, however, advised that any glazed area could quickly become grimy and laden with litter. There may also be problems with heat and difficulties with cleaning and maintenance. The area could become equally, if not more, claustrophobic than it is at present. Glazing may also be difficult as the surrounding buildings were of different heights and ages and were in a Conservation Area.
83. Glazing may also change the dynamics of the market and this was not what the Committee were trying to achieve. However, there was some aspiration amongst some of Members to glaze some of the market area, especially that where the brick built stalls currently stood.

#### **Membership of NABMA**

84. The Committee noted that York was not currently a member of NABMA. Further discussion established that the membership fee was approximately £600 per annum. As a member of NABMA the Council would be entitled to a free half-day consultation. Alongside this there was the NABMA website which offered a wealth of expert information and networking possibilities which were an invaluable source of advice. There was also an annual conference.

#### **Entrepreneurship**

85. The Markets Team also advertised in the Trade Press for new businesses to start on the market and offered incentives for totally new or unrepresented commodities (for instance the stall may be offered at £5 a day for the first 4 weeks) – this initiative has proved successful.

86. In addition and at a more local level the Senior Markets Officers has contacted York secondary schools and colleges inviting young entrepreneurs to take up a stall at Newgate Market with products they have made themselves. Advice and help are on offer when students come along to try out trading on the market. Officers within the Economic Development Unit are exploring the possibility of setting aside a dedicated area within the market for new and young entrepreneurs.
87. Members were keen to expand on opportunities for 'start up stalls' and new businesses and felt that this needed to be encouraged. A new package of practical advice and training for market traders has recently been announced by the Coalition Government's Markets' Minister. City Centre Management will be looking at how this Good Practice Guide can be used to best effect in encouraging new traders to York's markets.
88. Members noted that it was a condition of standing at Newgate Market that traders have Third Party Public Liability Insurance. Members discussed the possibility of having a number of 'pay & go' stalls with the insurance being provided by CYC. However officers did not know whether there were enough entrepreneurs to make this worthwhile. Initial discussions had established that City of York Council could not provide insure traders as part of any 'pay & go' scheme. However the Markets Manager was currently contacting independent insurance brokers to discover what options were available.

#### Crime & Disorder

89. Members received information regarding crime in the area. The area around and including the market was not seen to be a 'hotspot' for either crime or anti-social behaviour. There was an average amount of anti-social behaviour, theft and shoplifting reported along with vehicles parking in the marketplace.
90. The representative of North Yorkshire Police said that there were no significant problems in the area but any improvements would be welcome, as this would increase footfall. He suggested that consideration could be given to installing CCTV in the area, especially if improvements were made and the space was used more frequently in the evening.

#### Other Possible Market Area Improvements

Below are listed some of the more general discussions that were had in relation to improving the market area:

- Parking costs for traders may need to be reconsidered
- Efforts should be made to encourage the market traders to commit to making the market a success. They should be encouraged to provide good customer service.
- Members felt that they would like to see the word 'local' used as much as possible when promoting and advertising the market. They believed that locally sourced produce was becoming more important to consumers, hence the popularity of the monthly Farmers' Market. They would like to



encourage more local traders to the market but didn't want to actively discriminate against anyone, as they wanted to see as wide a variety of traders and goods as possible. Officers confirmed that when a questionnaire had been circulated seeking the opinion of market users, of the 300(approximate) respondents, the most popular products were fresh produce (fruit, vegetables, fresh meat and fresh fish).

- The market needed to move with the times and offer such services as payment by card.
- Members discussed quality control at the market and were informed that the quality of goods was monitored by the Trading Standards Department. How the goods were displayed was the responsibility of the traders and there was a constant drive to encourage the traders to be more professional in the way they displayed goods.
- It was very important to listen to the traders' views on any proposals and this should include the market traders and the surrounding retailers. The Committee understood that full consultation would take place as part of the Renaissance Team's ongoing work and the Footstreets Review.

### **Information Received on Key Objective (iv) To look at the income generated by Newgate Market**

91. It was confirmed that the market had generated approximately £450k in 2009/2010. The target income had been £476,580. The market had made a profit but had not quite achieved its target.
92. The main costs involved in running the market were as follows (approximate figures)
  - Advertising £14,000
  - Cleansing £91,000
  - Business Rates £81,000
  - Dedicated Market Staff £49,000
93. Members welcomed the fact that the market was making a profit, as they had previously believed it was running at a loss. Members were informed that the targets increased each year but as there was no growth bid then the actual income generated moved further away from the targets set. Members felt that the targets were too aspirational and there was a need to dispel the myth that the market was underachieving.
94. Currently the profit from the market is not reinvested directly into the market. If it were to be then there would be many opportunities to look at improvements to the market.
95. Further discussion of the above key objective led to the following comments being made:
  - The advertising budget for the market was £14,000 per annum and was used to attract both traders and visitors to Newgate Market and the

specialist events markets. Advertisements were placed in the national Market Trader News. To try and encourage people to the market in the shorter term there had been a £5 per stall offer and whilst this had attracted new stallholders it had caused complaints from others. There had also been television and radio adverts to try and attract visitors and traders.

## **Key Findings/Analysis**

96. At the beginning of this review Members believed that the market was running at a loss however it was quickly realised that this was not the case. The Market is actually very successful and a good income generator for the city. Members, however, did feel that the market needed to be enhanced on a rolling basis with continued investment over the long-term. Possible ways of funding this could be via Tax Incremental Funding (TIF) or reinvesting the monies generated by the market back into the market but this would need to be looked into in more depth before any recommendation regarding this could be made.
97. Newgate Market was a market predominantly for the residents of the City and it was recognised that people did not come to York specifically to visit it. However, the more attractive and accessible the marketplace was the more likely it was that footfall and trade would increase and the more likely it would be used by both residents and visitors alike.
98. It was recognised that the market was not maximising its revenue potential, was not in positive active use at night, was inflexible for multifunctional use, was shabby and in poor physical condition. On some days empty stalls gave the appearance that the market was in decline or closing and the 'dead space' towards the rear of the market by the Marks & Spencer's building was particularly problematic due to its hidden location. There was a need to increase the desirability of the market to traders, residents and visitors. Poor visibility, accessibility and in some places congestion also hindered the effective use of the area.
99. The aim of the Committee was to set a pathway for the market in the short, medium and long-term, which could be fed into the work currently being undertaken by the Renaissance Team. After consideration of all the information received to date Members recognised that the following issues needed to be addressed:
100. **Improving the cleanliness of the market area and solving waste management problems**

### Short Term

- Early adoption of cleansing SLA
  - New cleansing regime now agreed and being trialled in December 2010
- Market to be closed for one day per quarter for deep down cleansing
  - Market to be held in Parliament Street whilst this occurs

### Medium/Long term

- Exploration of possibility of storing waste underground (possibly under St. Sampson's Square)

## 101. **Improvements to the public realm**

### Short Term/Medium Term

- The trialling of sculpted stalls, possibly along Jubbergate initially could be the starting point for improvements to the public realm.

## 102. **Enhancing the night time environment**

### Short Term

- To attempt to enhance the early evening economy and encourage the market to remain open longer a fixed closing time for the market could be introduced. Members believed that the market should stay open until at least 5pm and this should, at the minimum be trailed for a month, possibly in Spring 2011

## 103. **Improving accessibility to and movement in and around the market**

### Short Term

- Accessibility was a key issue for the marketplace and there was a need to improve signage. The 4 main entrances to the market and the Snickleways leading from The Shambles to the marketplace also needed to be improved and made more attractive.
- The stalls at the Jubbergate entrance to the market also needed to be reconsidered. Whilst these were always occupied and generated a large amount of income they did create a bottleneck and congestion. A trial of a new type of 'sculpted' stall could be a possibility for this area and may create more space for pedestrians
- Traffic regulations in Silver Street should be reconsidered to allow the area to be reincorporated as part of the marketplace. Now that the storage containers have been removed. It was hoped that it would be possible to introduce more stalls and pavement cafés into Silver Street by the summer of 2011.

## 104. **Improving the Market Stalls**

### Short Term

- In order to brighten and freshen up the market the canopies on the existing stalls should be replaced (approximate cost of £200 per canopy)

## Medium/ Long Term

- Consideration will need to be given to the type of stall that would be most suited to the marketplace
105. In addition to the improvements mentioned above there was a need to enhance/make more use of the 'dead space' at the rear of the marketplace, improve the fabric of the buildings surrounding the marketplace, look at alternative uses of the space not covered by market stalls (especially if the number of stalls is rationalised) and finding a permanent place to store market equipment

## **Corporate Strategy 2009/2012**

106. This Scrutiny Topic on Newgate Market is linked with the Thriving City theme of the Corporate Strategy 2009/2012:

'We will continue to support York's successful economy to make sure that employment rates remain high and that local people benefit from new job opportunities.'

## **Implications**

107. **Financial** – Various potential financial implications have been identified during the course of this review and these are detailed throughout the report and in the paragraphs below. However, the Committee were aware that any refurbishment undertaken at the market would have a cost. The market is successful and brings in an annual income of approximately £450k. There is a budgetary requirement for the market to earn £476k and any shortfall on this target stands as a budget pressure. The market does make a profit and is required to do so. If the market made profits over and above budget levels then there is no reason why Members could not agree a mechanism for reinvestment.
108. Members should also be aware of a potential small loss of income should they choose to decrease the amount of stalls at the market but this is not considered to be material to the overall budget levels.
109. The costs of new stalls, of varying descriptions, ranges dramatically. New canopies for the existing stalls would cost approximately £200 each, which would equate to approximately £20,000. However there is a recommendation to reduce the number of stalls so the exact cost may be less. It is unlikely however, that more than 10 stalls would be removed in the short term. . This could be funded from a one-off growth and this could be considered in the budget process. A new storage facility for market equipment has an initial quote of approximately £21k. Unfortunately additional budgets would be required for these and given the current economic position it is acknowledged that this is not a short term proposition.

110. To purchase four “sculpted” stalls as a trial in Jubbergate would cost £19k plus a further £5k design. This could be funded from a one-off growth and this could be considered in the budget process
111. In terms of the Service Level Agreement regarding cleansing – whilst we work with Communities and Neighbourhoods to change cleaning regimes the charge in itself is notional. By reducing the charge it doesn’t provide any significant savings in itself to the Council or Newgate Market. A budget to cover the cost of any proposed quarterly ‘deep cleansing’ would also need to be identified.
112. The Committee discussed further financial implications with the finance officer and came to the conclusion that they would like to see a programme of reinvestment in the market place with the targets for the market being achievable and budgets being set in a fair and transparent way. To reinvest 5% of total income back into the market would mean a recurring growth requirement to the market of £24k.
113. The financial implications of the short-term recommendations would be for the council as part of its budget setting to set aside £20k one-off funding for the replacement of new canopies, £24k one-off funding for “sculpted” stalls and a further recurring £24k for re-investment into the market. This could be considered as part of the budget process however it would mean finding equivalent additional savings across other council services at a time that the council is facing severe financial pressures.
114. **Crime & Disorder** – At a meeting on 15<sup>th</sup> November 2010 a representative of North Yorkshire Police indicated that there were no significant crime problems in the Newgate Market area. Paragraphs 89 and 90 of this report provide further details in relation to this.
115. There are no other known implications associated with this report, however, some may occur once the recommendations have been formulated.

## **Risk Management**

116. Whilst the market is successful and generates approximately £450k per annum for the city; there is a risk that the market will continue to fall short of meeting its income target if improvements are not made. There is a risk that doing nothing could lead to this area being considered visually detrimental to the city centre which could in turn lead to an income loss for the city.

## **Recommendations**

117. On consideration of all the information received to date Members have made the following recommendations:
  1. To improve the general cleanliness of the market. This can be achieved in the short term by:
    - i. Early implementation of the Service Level Agreement (SLA) with a review after 3 months

- ii. Closing the market one day per quarter for deep cleansing (the first instance to be before Easter 2011)

And in the medium term by:

- iii. Exploring the possibilities of storing waste underground – possibly in St Sampson’s Square or by exploring other suitable options
2. To improve the public realm – this can be achieved in the short term by:
    - i. Working with landlords and lessees of buildings surrounding the market to improve their general appearance
    - ii. Trialling ‘sculpted style’ stalls along Jubbergate
    - iii. Looking at ways of preventing unauthorised parking in Silver Street and the Market
    - iv. Providing additional market stalls along Silver Street
    - v. Improving the lighting in the area
  3. To begin to improve the early evening economy in the short term. This can be achieved by undertaking a trial of a fixed closing time of 5pm for the market.
  4. in the short term, to improve and make more attractive all entrances to the market
  5. In the short term to encourage more open access from the Shambles and other properties that back onto the market. To encourage pavement cafes and ‘walk through’ premises where possible.
  6. To improve the market stalls; this can be achieved in the short term by:
    - i. Replacing the existing canopies on the market stalls at an approximate cost of £200 per canopy
    - ii. To reduce the number of stalls in the market to enable freer footfall

And in the medium term by:

- iii. Exploring the type of stall that would be most suitable to the marketplace
7. In the medium to long term to look at using the rear of the market for a new store for the market equipment.
  8. That a programme of reinvestment in the marketplace should be undertaken

Reason: To address the remit and key objectives of this review.

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**Report Approved****Date** 24.11.2010**Specialist Implications Officer(s)** None**Wards Affected:** Guildhall Ward

All

For further information please contact the author of the report

**Background Papers:**

Listed in the Annex below

**Annexes****Annex A**

Table of reports and documents received as part of the review  
(individual documents are available on request)