

<b>Committee:</b>  <b>OVERVIEW AND SCRUTINY</b>	<b>Date:</b>  <b>5 February 2008</b>	<b>Classification:</b>  <b>Unrestricted</b>	<b>Report No.</b>	<b>Agenda Item No.</b>
<b>Report of:</b> <b>Corporate Director – Communities, Localities And Culture – Steve Halsey</b>			<b>Title:</b> <b>Review of Street Markets Fees and Charges 2008/2009</b>	
<b>Originating Officer(s):</b> <b>Kweku Quagraine</b>			<b>All Wards</b>	

## 1. SUMMARY

The attached report of the Corporate Director of Communities, Localities and Culture Steve Halsey, was considered by the Cabinet on 9<sup>th</sup> January 2008 but has been “Called In” for further consideration by Councillors Ahmed Hussain, Rania Khan, Oliur Rahman, Abjol Miah and M.Mamun Rashid. This is in accordance with the provisions of Part Four of the Council’s Constitution.

## 2. RECOMMENDATION

- 2.1 That the Committee consider the contents of the attached report, review the Cabinet’s provisional decisions arising and decide whether to accept them or refer the matter back to Cabinet with proposals, together with reasons.

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### Local Government Act, 1972 Section 100D (As amended)

#### List of “Background Papers” used in the preparation of this report

Brief description of “background paper”

**Cabinet report**

Name and telephone number of holder  
and address where open to inspection  
**Kweku Quagraine**  
**02073644877**

### **3. BACKGROUND**

- 3.1** The attached report of the Corporate Director of Communities, Localities and Culture Steve Halsey, was considered by the Cabinet on 9<sup>th</sup> January 2008 but has been “Called In” for further consideration by Councillors Ahmed Hussain, Rania Khan, Oliur Rahman, Abjol Miah and M.Mamun Rashid. This is in accordance with the provisions of Part Four of the Council’s Constitution.
- 3.2** The Cabinet after considering the attached report provisionally agreed:-
1. That, subject to (a) below, the levels of fees and charges for market trading in Tower Hamlets, as set out in Appendix 1 to the report (CAB 100/078), to be effective from 1<sup>st</sup> April 2008, subject to a 28 day period of consultation with market traders following publication of a Notice of Variation of Charges to be issued by the Corporate Director, Communities, Localities and Culture, be approved:
    - (a) That the proposed weekday standard pitch fee at Whitechapel Market be £7.50 rather than the £6.00 detailed in Appendix 1 to the report.
  2. That the Corporate Director, Communities, Localities and Culture, undertake further consultation with the Market Traders on the fees and charges [referred to at resolution 1. above], as set out in Appendix 1 to the report (CAB 100/078); and
  3. That the Corporate Director, Communities, Localities and Culture be authorised to set the final level of fees and charges for market trading [in Tower Hamlets] following the outcome of consultation referred to at resolution B above.
  4. That a report be submitted to the Cabinet in 3 months time detailing the work undertaken to support the regeneration of Roman Road Market and nearby shops, identifying potential measures to accelerate progress and setting out an action plan to achieve the desired outcome.

## **REASONS FOR“CALL IN”**

The Call-in requisition signed by the five Councillors listed above gives the following reasons for the Call-in:

- 4.1** Failure to consult market stakeholders adequately.
- 4.2** The sixty six per cent increase in fees for Whitechapel weekday traders agreed by the cabinet (though not recommended in the report) is excessive and not based on factual evidence members can review.
- 4.3** The risks of discouraging market trading are not meaningfully assessed.
- 4.4** The report does not include a strategy for advertising and promotion of all markets.
- 4.5** The report does not include reference to Burdett Road market stalls which therefore appear to be under threat, despite its 100-year history and important local service.

## **5. ALTERNATIVE COURSE OF ACTION PROPOSED:**

- 5.1** Regular market traders and their associations should be contacted directly to consult them.
- 5.2** Evidence is needed for members to consider with due diligence any proposal to levy additional increases on Whitechapel traders.
- 5.3** A proper risk assessment of the impact of increased charges on markets and surrounding shopping areas is required.
- 5.4** Promotion and development of markets as an integral part of lively shopping areas and hubs for local communities and neighbourhoods should be an essential part of the contract with market traders.
- 5.5** A scoping review of Burdett Rd market and potential for reviving street trading at this location.

## **6. CONSIDERATION OF THE “CALL IN”**

- 6.1** The following procedure is to be followed for consideration of the “Call In”:
  - (a) Presentation of the “Call In” by one of the “Call In” Members followed by questions.

- (b) Response from the Lead Member/officers followed by questions.
- (c) General debate followed by decision.

**N.B. – In accordance with the Overview and Scrutiny Committee Protocols and Guidance adopted by the Committee at its meeting on 6 June, 2007, the Member(s) who are presenting the “Call In” are not allowed to participate in the general debate.**

- 6.2** It is open to the Committee to either resolve to take no action which would have the effect of endorsing the original Cabinet decisions, or the Committee could refer the matter back to the Cabinet for further consideration setting out the nature of its concerns and possibly recommending an alternative course of action.

## **7. RECOMMENDATION**

- 7.1** That the Committee consider the contents of the attached report, review the Cabinet’s provisional decisions arising and decide whether to accept them or refer the matter back to Cabinet with proposals, together with reasons.