

# Market Transfer

To consider the proposed responses to correspondence concerning the possible transfer of the market to the Town Council.

**Recommendation:**

1. Council is recommended to either:
  - a. Adopt the responses below, or
  - b. Propose alternative wording.

	Yes	No
Does the decision involve new expenditure?	Yes	
Is there an existing budget for the proposed expenditure (insert code)		No
What procurement level is required?	N/A	
Are there equalities impacts / an equalities assessment required?	Possibly	
Does this require a full council decision? (Reports for full council decision should still be sent to the relevant committee where possible.)	Yes	
Is there a background paper or papers? (provide links below).		No

1. Officers have been exploring with Northumberland County Council (NCC) the desirability of the transfer of the market to Berwick Town Council (BTC). Officers have also explored, in recent years, other mechanisms by which the market might be improved. Recent correspondence has led to the attached questions being asked by the responsible NCC officer. The proposed answers are in bold type after each paragraph / question.

*1. Does the town Council wish to adopt the lease to then have full & exclusive operational control of the market or is there a desire to share operational control through a partnership approach with NCC? (Your letter indicates the former but I know we have discussed the latter as an option too)*

**Having seemingly exhausted the partnership options proposed by NCC, which were in fact a request for subsidy with no operational role for BTC, we cannot see any future in exploring partnership options. We have in the process of considering partnership concluded that there is no way of making a partnership work with equal control without creating a separate organisation to do so, which would be a large amount of bureaucracy to achieve an end (local control and an entrepreneurial approach to the market) which could be achieved by other, simpler solutions such as the transfer of the lease to BTC.**

*2. What are your proposals for any practical transitional arrangements?*

**We would propose an agreement in principle by 31<sup>st</sup> December 2023 with transfer to be effected by 1<sup>st</sup> April 2024, allowing time for BTC to make the necessary staffing arrangements, and to train the staff required. This would also allow time for the lessors (the Freeman) to consent to the new arrangements if that is their wish.**

*3. Given acceptance of the Town Council's request could result in a loss of revenue for the County Council and an increase in revenue for the Town Council would you consider a shared benefit model of operation, either in a partnership sense, or as a purely financial arrangement that forms part of any transitional arrangements?*

We are open to consider any approach by NCC that sets out the extent of any net revenue loss they incur (e.g. the extent of any profit made on market operations in excess of costs incurred) but NCCs previous approaches have led us to request transfer knowing that it is most likely to be an operation conducted on the hope of revenue and costs equalizing over the three year scope of our initial planning. We anticipate that NCC will incur savings from the transfer rather than a loss of profits, and have based that response on NCC's requests for subsidies from BTC which would appear to evidence the view that the market has not been a commercial proposition for NCC. We are also aware that there will be new duties upon BTC in terms of waste disposal and public space maintenance but given that we are already in a dialogue with NCC officers about how BTC can help NCC plug gaps in its core litter bin emptying service, we see potential synergies for NCC rather than losses.

*4. What is, or would be, the formal decision process required at the Town Council (e.g. have officers the delegated responsibility to request & action a transfer, has there been a formal resolution at Town Council to request the transfer or is this something you would need to secure if the County Council were prepared to consider your request?) and what would be the timescales for any approvals required?*

**Council would require a formal decision; a resolution adopting the responses I have set out to council, preceded by the wording "In order to facilitate a transfer of the operation of the Charter Market to the Town Council..." would suffice. As above, we would need an indication of the likelihood of acceptance of these proposals by NCC before 31<sup>st</sup> December 2023 to enable us to appoint or train the requisite staff and to work with partners and potential partners, including The National Association of British Markets and The Teenage Market (who Town Council have worked with before) to refine the business plan.**

**Issues arising from proposal**

None.

**Rationale for recommendation**

To enable better internal control of purchasing decisions.