

KETTERING TOWN COUNCIL

REPORT FOR DECISION

Item No:- FC21/086

Committee:-	Council
Date:-	24 th March 2022
Author:-	Martin Hammond, Clerk
Report Title:-	KETTERING MARKET
Wards Affected:-	William Knibb ward directly

1. Purpose of Report

To summarise the position with the handover of the market from NNC to KTC on 1st April and seek approval in relation to the employment of staff to manage the market.

2. Recommendations

That:-

- a) the clerk be given authority to negotiate an employment package, either directly or through an employment agency, which contains the total employment cost of erecting and dismantling market stalls on each day to £23,500 or less.
- b) If the employment agency route is chosen, then authority be given to enter into a contract with the current supplier used by NNC, without seeking alternative quotes from other suppliers, pending a review during the next six months.

3. Information

3.1. The Town Council takes on management of the market from 1st April. Essentially this involves

- Taking bookings from traders for pitches and stalls
- Putting the stalls up each market day and taking them down again
- Meeting the rates bills
- Collecting income from traders when charges are re-introduced.

- 3.2. The main cost for the market is the cost of erecting and removing stalls each day. This has been done by two employees of NNC, who have access to the NNC owned store where the equipment is kept and the NNC vehicle for moving stalls around. The vehicle and storage facilities come without charge, but their use is dependent on the two employees still being NNC's staff. One employee has historically been employed through an agency, so this employment is separate from his NNC role, and the other employee is paid at NNC overtime rates for her time at the start and end of each normal working day. These two rates do however differ from each other for the same task.
- 3.3. Attempts were made to simplify this arrangement and NNC was asked to quote for supplying these staff on current arrangement but without the use of the agency. This proved impossible to do without a number of HR implications for the terms and conditions of the two employees. NNC has since advised that they don't feel able to continue to employ staff for this purpose and have suggested that the Town Council either employs the staff themselves or employs both of them through an agency. The agency in use at the moment is CDR.
- 3.4. The two alternatives are to employ both staff through the existing agency or to employ them directly. In each case, apart from salary payments, there may be some pension and a small amount of employer's national insurance payments to make. Discussions have been and continue to take place with both individuals and the agency about the best and most economical route forward, but which also tries to simplify the currently complex and inconsistent pay arrangements.
- 3.5. This matter was discussed at Finance and Governance Committee on 17th March, at which point members had a preference to employ both individuals through an agency. This has subsequently proved less straightforward than envisaged and, given the shortage of time before 1st April, it is proposed that the clerk be given authority to arrive at the best outcome, within an overall envelope of £23,500, which should cover off salary, pension and NI or agency costs depending on the route eventually selected.
- 3.6. If an agency was utilised, an exemption from financial regulations would be needed as the agency as CDR's fee would represent a quarter of the total cost of the labour employed and over a year, this is about £5750, for which, normally, three quotes would be sought. However, it would be the clerk's intention, in these circumstances, to review the arrangements after 6 months and possibly test the employment market at that time.

4. Consultation and Engagement

A consultation event was held with traders and other people on 6th March 2022.

Both individuals currently employed have been consulted on these arrangements.

5. Finance, Legal and Resource Implications

5.1. The market costs comprise:-

- Rates	£4017 per annum
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- Membership national markets organisation (NABMA) £ 369 per annum
- Market stall erection and dis-assembly approx. £22,500 per annum

5.2. The budget allows for a £10,000 loss on the market in 2022/23. This still means that income will need to be raised in fees and charges.

6. Policy Implications

6.1. The Corporate Plan says *“The Council will support the town centre – through encouraging and delivering facilities, through putting on events and markets, and will help to make the town centre safe, attractive, interesting and varied, with local businesses thriving alongside national retailers and service providers”*.

6.2. In relation to the workplan, it says *“The operation of the three weekly markets on Wednesdays, Fridays and Saturdays. These largely fell into abeyance during the pandemic and need to be revived; the residual markets are still managed by NNC; a handover will be agreed. The Council will aim to engage with market traders to understand how best the markets can be managed and developed. It will also build a programme of specialist markets.”*

Background Papers

Financial calculations

Email traffic with NNC

