

LOCAL GOVERNMENT ACT 2000

**REGISTER OF URGENT
DECISIONS TAKEN BY THE
CHIEF EXECUTIVE**

**NORTH DEVON COUNCIL CONSTITUTION
– Part 3 Annex 2: Officer Delegations –
Chief Executive**



Reference No:

1) SUBJECT: Pannier Market Concession

2) REQUESTED DECISION: Delegate to the Chief Executive the power to take a decision to reduce or waive the pitch fees applicable to the Pannier Market, Barnstaple to be effective for a maximum period of 4 months

3) STATEMENT OF THE REASONS FOR THE REQUEST AND WHY IT IS URGENT:

In order to support local market traders during the current period of lockdown by allowing officers to negotiate reductions in the standard pitch fees to encourage traders to use the Pannier Market for the sale of essential items. This will then provide the community with further options to purchase locally during lockdown. The item is urgent as traders are preparing to re-open from the 12th April and any decision to grant a concession should be made prior to the next SR Committee to allow marketing to take place.

The charges were increased as part of the adoption of the budget but officers did assure members that if there was a need to provide a concession that would be considered.

The power to take a decision on this is given to the Chief Executive for a period of 4 months and allows the Chief Executive to take a decision to reduce or waive the pitch fee during that period, depending on demand and circumstances.

4) FINANCIAL IMPLICATIONS: (NOTE: Please state if there are any financial implications. If so, state whether there are sufficient funds within the agreed budget. If there are insufficient funds please state how the decision will be financed).

There will be a loss of income to the council but indications are that without some incentive, traders will not use the Pannier Market anyway. It is therefore considered that the loss of income is likely to be minimal and certainly outweighed by the potential benefit to the traders and the community.

5) ANY ALTERNATIVE OPTIONS CONSIDERED AND REJECTED:

The alternative is to continue to charge the full fee and risk traders leaving the market. A thriving market fits with the Council's long term plans and helps to give confidence in the town centre and supports the council's Live, Love, Local campaign.

6) A RECORD OF ANY CONFLICT OF INTEREST DECLARED:

None

7) A NOTE OF ANY DISPENSATION IF GRANTED:

None

8) LIST OF BACKGROUND PAPERS (but not including published works or those which disclose exempt or confidential information (as defined in paragraph 10.4 and 10.5 of the Access to Information Procedural Rules Part 4 of the Constitution):

10) CONSULTATION UNDERTAKEN:

The following have been consulted on this urgent decision:

Consultee	Consulted Yes/No	Date
Leader of Council (<i>or Deputy Leader</i>)	Y	11/3/21
Chair of Committee (with the Authority to take the decision) (<i>or Vice-Chair</i>)		
Lead Member	Y	11/3/21
Ward Member(s)	N/A	
Head of Service (name)	Y	11.3.21
Finance		
Legal	N	

11) OFFICER REQUESTING URGENT DECISION TO BE TAKEN BY THE CHIEF EXECUTIVE:

Town Centre Manager

12) APPROVED BY CHIEF EXECUTIVE: YES

13) DATE OF DECISION:
11/3/21

14) CHIEF EXECUTIVE'S COMMENTS:

Agreeing a concession fits with the assurance given to members when agreeing the current fee increase. The decision is to give delegated powers to the CEX for 4 months so that some flexibility can be created if needed.

15) DATE TO BE PRESENTED TO STRATEGY AND RESOURCES COMMITTEE:

GUIDANCE NOTES

NOTE:

PROCEDURE FOR URGENT DECISIONS:

1. Completed form to be passed to the Chief Executive following consultation with the interested parties.
2. If a decision is specific to a Ward, efforts should be made to ascertain the views of the local Councillor (s).
3. The Chief Executive will make his decision.

PROCEDURE FOR URGENT DECISION MAKING AS PER THE CONSTITUTION

Officer Delegations: the Chief Executive:

Urgent Decision Making

- 3.48 To take a decision on any matter falling within the remit of any Committee in cases of urgency where it is not reasonably practicable to obtain prior approval of a Committee SUBJECT TO:

3.48.1 the prior consultation, where practicable, with the Leader or Deputy Leader and the Chair or Vice Chair of the relevant Committee, and

3.48.2 the proviso that this power will not extend to the determination of any application submitted pursuant to the Planning Acts or under the Licensing Act 2003 or the Gambling Act 2005, and

3.48.3 the decision being reported to the next meeting of the relevant Committee and the next meeting of Strategy and Resources Committee.