

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:

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- 1) SUBJECT: Pannier Market Concession

 - 2) REQUESTED DECISION: Delegate to the Head of Place, Property and Regeneration 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 to recover from the implications of the Omicron variant by allowing officers to negotiate reductions in the standard pitch fees to encourage traders to use the Pannier Market. The item is urgent as the number of traders using the Pannier Market has reduced considerably as other markets have offered concessions.

The power to take a decision on this is given to the Head of Place Property and Regeneration for a period of 4 months and allows that officer 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 further 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):

9) 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	23/1/22
Chair of Committee (with the Authority to take the decision) (<i>or Vice-Chair</i>)		
Lead Member	N	
Ward Member(s)	N/A	
Head of Service (name)	Y	23/1/22
Finance	Y	25/1/22
Legal	N	

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

Town Centre Manager

11) APPROVED BY CHIEF EXECUTIVE: YES

12) DATE OF DECISION: 26/1/22

13) CHIEF EXECUTIVE'S COMMENTS:

Having the ability to offer concessions allows the market to compete against other local markets which are offering concessions. A reducing number of traders will affect the reputation and viability of the market.

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

7/2/22

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.