



Dorchester Markets Informal Joint Panel

Date: Wednesday, 26 June 2019
Time: 7.00 pm
Venue: Council Chamber, Dorchester Town Council

Membership: (Quorum 3)

Cllrs Tony Alford, Dave Bolwell, Alistair Chisholm, Janet Hewitt, Susie Hosford, Nick Ireland, Tony Lyall, Robin Potter, Molly Rennie, Roland Tarr and John Worth

Chief Executive: Matt Prosser, South Walks House, South Walks Road, Dorchester, Dorset DT1 1UZ (Sat Nav DT1 1EE)

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AGENDA

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THE INFORMAL PANEL ARE ASKED TO APPOINT A MEMBER TO PRESIDE OVER THE ELECTION OF CHAIRMAN

1 ELECTION OF CHAIRMAN

To elect a Chairman for the remainder of the municipal year 2019/2020.

2 ELECTION OF VICE-CHAIRMAN

To elect a Vice-Chairman for the remainder of the municipal year 2019/2020.

3 APOLOGIES

To receive any apologies for absence.

4 NOTES OF THE LAST MEETING

5 - 10

To receive the notes of the meeting held on 13 February 2019.

5 DECLARATION OF INTEREST

To receive any declarations of interest.

6 PUBLIC PARTICIPATION

To receive questions or statements on the business of the committee from town and parish councils and members of the public.

7 FINANCIAL OUTTURN

11 - 16

To consider a report of the Group Account.

8 APPOINTMENTS TO THE CAR BOOT GRANTS PANEL

17 - 20

To agree the appointments to the Panel responsible for allocating funds in 2019/2020.

9 MARKET MANAGEMENT REPORT

21 - 24

To receive the market management report on the Dorchester Markets and related property and facilities.

10 URGENT ITEMS

To consider any items of business which the Chairman has had prior notification and considers to be urgent pursuant to section 100B (4) b) of the Local Government Act 1972. The reason for the urgency shall be recorded in the minutes.

11 EXEMPT BUSINESS

To move the exclusion of the press and the public for the following item(s) in view of the likely disclosure of exempt information within the meaning of paragraph 1 of schedule 12 A to the Local Government Act 1972 (as amended).

The public and the press will be asked to leave the meeting whilst the item of business is considered.

12 MARKET MANAGEMENT REPORT - EXEMPT APPENDIX

25 - 26

Appendix 1 to this report is not for publication by virtue of paragraph 3 of Schedule 12A, Part 1 of The Local Government Act 1972, as amended.

The public interest in maintaining the exemption outweighs the public interest in disclosing it.

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DORCHESTER MARKETS JOINT INFORMAL PANEL

MINUTES OF MEETING HELD ON WEDNESDAY 13 FEBRUARY 2019

Present: Cllrs M Penfold MBE (Chairman), M Rennie MBE (Vice-Chairman), N Bundy, M Hall, M Lawrence, D Rickard, J Hewitt, T Jones OBE, R Potter and D Taylor

Apologies: Cllrs R Freeman and Chisholm

Officers present (for all or part of the meeting):

Kathleen Boston-Mammah (Community Development Team Lead), David Brown (Head of Assets & Infrastructure), Roger Greene (Senior Corporate & Regulatory Lawyer & Deputy Monitoring Officer), Stephen Hill (Strategic Director), Dave Martin (Senior Accountant), Greg Northcote (Estates Manager), Lindsey Watson (Senior Democratic Services Officer) and Adrian Stuart (Town Clerk DTC)

1. Code of Conduct

There were no declarations of interest.

2. Notes of the Last Meeting

The notes of the meeting held on 20 June 2018 were confirmed as a correct record and signed by the Chairman.

3. Budget 2019-20

The committee received a report of the Senior Accountant which presented the budget for 2019/20. The report noted that the budget had been prepared in the same way as previous years, and assumed that the management of the market would transfer to Dorset Council from 1 April 2019.

It was proposed by N Bundy seconded by D Taylor

Decision

That the budget for 2019/20, as set out in paragraph 5 and appendix 1 of the report, be approved.

4. Market Management Report

Members received and considered the Dorchester Market Operators report, which covered the period 1 June to 31 December 2018. The report also covered maintenance issues at the Dorchester Market, informed of progress with the Cornhill Market and informed members of matters regarding the Dorset Farmers Market.

Within the Dorchester Market Operators Report, reference was made to work that had been undertaken by Ensors and Sons Ltd on plans for proposed improvements to the market. The report detailed spending that had been undertaken by Ensors and a request for a contribution of £10,000 to be made by the council. A point was made that the panel had encouraged Ensors to undertake work to explore possible improvements to the market. However, as a decision had been taken by the district council not to move forward with the proposed improvements, details of the work undertaken and expenditure made should be reviewed by the panel. The viewpoint was supported by some other members of the panel. The importance of maintaining a good working relationship with Ensors was expressed.

In response to a question as to why the work had not been undertaken jointly with the district council, it was noted that Ensors had asked for the opportunity to consider proposals to improve the performance of the market. Support had been expressed by the council but no contractual arrangement had been made.

It was noted that no commitment would be made at this stage, but that information should be requested and reviewed with a report back to the panel. A point was made that it was important to maintain good partnership working with Ensors. In order to recognise this, an additional recommendation was considered in addition to the recommendations set out in the report.

It was proposed by J Hewitt seconded by D Taylor

Decision

- a) That members note the reports in respect of the Dorchester Market, Dorchester Cornhill Market Limited, Corn Market and the Dorset Farmers Market
- b) That officers grant a new three year license to Dorchester Cornhill Market Limited
- c) In response to a request from Messrs Ensors to provide a contribution to costs incurred in relation to planning and other professional fees, officers will review and report back after receiving the documents and invoices.

5. Assessment of a new market facility, Charles Street, Dorchester

The panel received and considered a report of the Head of Assets and Infrastructure with regard to work being undertaken on the assessment of a new market facility on the Charles Street site in Dorchester.

Members considered the issues arising from the report and during discussion the following points were raised:

- A point was raised with regard to archaeology associated with the Charles Street site and how this feature could be used for the benefit of the town
- A question was raised as to where the funding for these options would come from? A view was expressed that any investment should be for the current market site at Fairfield
- The Head of Assets and Infrastructure provided an overview of the work that was being carried out
- A number of panel members expressed the view that the market should be retained and that investment should be made in respect of the Fairfield site
- In addition, a point was noted that the area on Charles Street where the community church had been, needed improving
- In response to points raised, the Head of Assets and Infrastructure confirmed that the existing market operator would remain on the Fairfield site for the next eight years. The work being undertaken was looking to the future and assessing whether there was an alternative site for a market in Dorchester
- Reference was made to work required on the Linnies, which it was felt should be considered as soon as possible
- The Head of Assets and Infrastructure confirmed that this was an assessment of the location of the market in Dorchester which would include consideration of alternative locations. A complete range of options would be looked at by a specialist markets organisation in order to identify key issues and impacts and this would include a visit to the town. Once the information had been received, further consideration could take place. It was noted that this was not a time constrained process. The cost of the investigation was within existing budget
- Reference was made to different groups that were meeting to consider issues related to Dorchester and a concern raised that work was not joined up

Members noted that the recommendations contained within the report were to note work that had already been decided and was being undertaken by the district council. In addition to these recommendations it was proposed by T Jones seconded by R Potter that an additional recommendation d) be added as follows, "That in the meantime, an action plan be drawn up by officers for improvements to the Fairfield site, to include timescales within the course of 2019."

Decision

That the Panel:

- a. Note the work being undertaken and the appointment of Quarterbridge Project Management Ltd to establish the potential impact on the primary shopping area of developing a new covered market space on the Charles Street site, including preparations of design and detailed costs and business case

- b. Note that market traders and others may well be approached by this firm and agree to give support to their investigations
- c. Agree that there will be a report back on the various options and findings to the Joints Markets Panel for their consideration in due course
- d. That in the meantime, an action plan be drawn up by officers for improvements to the Fairfield site, to include timescales within the course of 2019.

6. **Distribution of grants from the Dorchester Market Car Boot**

The panel received and considered a report of the Community Development Team Lead which provided members with an overview of the distribution of the Dorchester Market Car Boot Fund for the financial year 2017-18. The Chairman noted that this was a worthwhile scheme for community and voluntary organisations and demonstrated good partnership working.

Members considered the report and the following points were made:

- An annual celebration event was held which provided a useful opportunity for networking
- Signposting for alternative sources of funding was also undertaken. This information was included in the letters sent to those who were not successful with a funding application
- The important link with Rotary clubs was recognised
- Members of the panel wished to record their thanks to the Community Development Team and members of the panel that met to consider the awarding of grants. The importance of the grant scheme was recognised
- In response to a question, it was noted that all grant applicants were asked to complete a feedback form and this would include the opportunity to note if funding had been achieved from an alternative source
- The Community Development Team Lead noted that the grant scheme was currently being managed on a transitional basis

7. **Future Arrangements for the support of the Panel**

The panel received and considered a report of the Dorchester Town Clerk with regard to future arrangements for the support of the Dorchester Markets Joint Informal Panel. The report noted that Dorchester Town Council had proposed that, without fundamentally altering the 1984 agreement between the town council and district council in respect of the work of the panel, a minor amendment could be made to transfer discrete pieces of officer support for the panel to the town council, all of which were consistent with the town council's capabilities. This covered Governance Administration, Financial Administration, Car Boot Fund Administration and Liaison with Market Operators. If the panel supported the proposal, the recommendation would be for consideration by the district council and Dorchester Town Council.

The Strategic Director reported that he was drafting a report on various matters for consideration by West Dorset Full Council on 26 February 2019. The report, which would be for noting, would include reference to the report presented to the Dorchester Markets Joint Informal Panel and would also include detail of the recommendation of the panel on this matter. In addition he noted that a meeting of the Strategy Committee was available if it was required to meet.

A question was raised as to whether these recommendations should include reference to the sharing of profits between the two parties. In response, the Town Clerk stated that the current proposal was only with regard to the transfer of arrangements and not profits. The Senior Corporate and Regulatory Lawyer noted that the proposals were a light touch exercise at this stage due to the current timescale with local government reorganisation. Further work would be required in the future. The 1984 agreement set out the ratios for the split of profits, and those arrangements would not change as a result of the proposal currently being considered. As such, any wording added to the recommendations would be a duplication of the wording in the 1984 agreement.

At the conclusion of the discussion, the Strategic Director reiterated that reference to the recommendations would be included within the report to be presented to West Dorset Full Council on 26 February 2019. He also confirmed that a decision would be taken as to whether a report on this issue would be considered by the district council's Strategy Committee.

It was proposed by M Rennie seconded by J Hewitt

Recommendation

That, in order to safeguard the future management of the Markets Panel, the Dorchester Markets Informal Joint Panel supports the transfer of the following management functions to Dorchester Town Council

- Governance Administration
- Financial Administration
- Car Boot Fund Administration
- Liaison with Market Operators

8. Urgent items

There were no urgent items.

9. Exempt Business

There was no exempt business.

CHAIRMAN'S CLOSING REMARKS

The Chairman of the committee noted that this was the last meeting of the panel and thanked members and officers for their commitment to the work of

the panel over the years. The panel had worked well together and had made a difference in this area.

Duration of meeting: 10.30 - 11.45 am

Chairman

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Dorchester Markets Joint Informal Panel

Financial Outturn Report 2018/19

Date of Meeting: Wednesday 26th June 2019

Lead Member: Cllr A Alford Lead Member for Customer, Community and Regulatory Services

Lead Officer: Julie Strange, Financial Services Manager

Executive Summary:

Markets in Dorchester have operated since Anglo Saxon times, and are prescriptive. Under an agreement dated 1984 the markets are managed by Dorset Council for the benefit of Dorset Council and Dorchester Town Council with operational oversight carried out by the Dorchester Markets Joint Informal Panel. The Markets income and expenditure is held within the accounts of Dorset Council. The Panel receives a report on the annual budget and the annual outturn.

Equalities Impact Assessment:

None

Budget:

As set out in the report

Risk Assessment:

Having considered the risks associated with this decision, the level of risk has been identified as:

Current Risk: LOW as the fall in income was anticipated

Residual Risk MEDIUM as there is a risk the income could fall further

Other Implications:

None

Recommendation:

That Members approve the Income and Expenditure statement for 2018/19

Reason for Recommendation:

To enable Members of the Panel to consider and approve the Accounts for the year ending 31 March 2019.

Appendices:

Appendix 1 – Financial Outturn Statement 2018/19

Background Papers:

Financial Statements from the Cornhill Traders and the Market Operator.

Officer Contact:

Name: David Martin

Tel: 01305 838254

Email: dave.martin@dorsetcouncil.gov.uk

1. Budget 2018/19

1.1 The Panel agreed a budget for 2018/19 at a meeting in January 2018. The expenditure budget was set at £41,424, the income budget at £211,448 leaving an estimated surplus for distribution of £170,024.

2. Outturn 2018/19

2.1 The ledger entries for the year ended were based upon the Market Operators management accounts to 31 December 2018 plus assumptions and comparators from the previous year. Once the market operators audited accounts for 2018/19 are received appropriate adjustments will be made in 2019/20 accounts. The market operator has recently supplied unaudited management accounts to 31st March 2019 which indicate the actual income was approximately £4,000 less than anticipated in the outturn report.

2.2 The total expenditure for the year was £46,703, compared to the budget of £41,424. The main variance was on investigating and repairing a major water leak. The credit shown against electricity was a refund upon transfer of the supply to the market operator. In addition £20,172 from the Market Maintenance Earmarked Reserve has been used to fund repair/replacement of roof to the North Linneys and former cattle market building and the installation of a CCTV system.

- 2.3 The total income for the year was £188,643 compared to the budget of £211,448. The main variance was a 33% reduction in the fee paid by the market operator from a budget of £94,000 to an actual of £62,533. The increase from the Cornhill Traders relates to payment of rent arrears from previous operator and 15 months charge for the new licence in 2018/19
- 2.4 The surplus available for distribution was £141,940 compared to a budget of £170,024. This meant that the former West Dorset District Council was due £80,116 compared to a budget of £97,646 and Dorchester Town Council £43,139 compared to a budget of £52,578.

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	(A) Budget 2018/19	(B) Outturn 2018/19	(C) Variance
EXPENDITURE			
Premises			
Repairs and maintenance	19,600	18,580	1,020
Electricity	0	-785	785
Water	0	5,743	-5,743
Insurance	2,200	2,482	-282
2/7 share of actual costs of toilets	2,200	3,429	-1,229
	24,000	29,449	-5,449
Supplies and Services			
Subscriptions	636	636	0
	636	636	0
Administration			
Advertising	170	0	170
	170	0	170
Recharges			
West Dorset District Council	15,026	15,026	0
Dorchester Town Council	1,592	1,592	0
	16,618	16,618	0
TOTAL EXPENDITURE	41,424	46,703	-5,279
INCOME			
Rents			
Market Operator Contract	-94,000	-62,533	-31,467
Car Boot	-22,000	-20,761	-1,239
Cornhill Traders	-25,974	-34,967	8,993
Rents- Corn Market and Cafe	-21,150	-22,400	1,250
Rival Market Fee	-500	-158	-342
Fairfield Car Park	-47,824	-47,824	0
TOTAL INCOME	-211,448	-188,643	-22,805
SURPLUS	-170,024	-141,940	-28,084
DISTRIBUTION OF SURPLUS			
Sunday Market Reserve	19,800	18,685	-1,115
West Dorset District Council	97,646	80,116	-17,530
Dorchester Town Council	52,578	43,139	-9,439
	170,024	141,940	-28,084
Market Maintenance Earmarked Reserve			
Balance b/f 01.04.2018	28,158		
Transactions 2018/19	-20,172		
Balance c/f 31.03.2019	7,986		

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Dorchester Markets Joint Informal Panel

To appoint to the Dorchester Car Boot Grant Funding Panel for 2019-20

Date of Meeting: 26 June 2019

Lead Member: Councillor Alford,
Cabinet Member for Customer, Community and Regulatory Services

Lead Officer: Kathleen Boston-Mammah, Community Development Team Leader

Executive Summary:

To appoint four members of the joint informal panel to sit on the Dorchester Car Boot Grant Funding Panel.

Equalities Impact Assessment:

Not applicable

Budget:

To ensure the distribution of funds ring-fenced for the allocation for local voluntary and charitable organisations.

Risk Assessment:

Having considered the risks associated with this decision, the level of risk has been identified as: LOW – no direct implications

Recommendation:

- (a) To appoint four members of the panel to sit on the Car Boot Grant Funding Panel for the period of 2019-20, in order to oversee the distribution of the net Sunday Car Boot Sale proceeds to local charitable and voluntary organisations.
- (b) That the funding allocations list be reported back to a future meeting of the Dorchester Markets Joint Informal Panel.

Appendices: None

Background Papers:

The 2006 Protocol between West Dorset District Council and Dorchester Town Council in relation to the distribution of Dorchester Sunday Car Boot Sales and the Variation of that Protocol dated July 2011.

Officer Contact

Name: Kate Critchel, Senior Democratic Services Officer

Tel: 01305 252234

Email: kate.critchel@dorsetcouncil.gov.uk

Background and Summary of Information

1. For a number of years the Dorchester Markets Joint Informal Panel has managed a Sunday Car Boot Sale on most Sundays throughout the year. This market has been facilitated by the Market Operator Ensors on behalf of the two partner councils of West Dorset District Council (now Dorset Council) and Dorchester Town Council. The proceeds from the Car Boot Sales has traditionally been distributed to local charitable and voluntary organisations.
2. A Protocol in relation to the distribution of the Sunday Market Surpluses (otherwise known as the proceeds of the Dorchester Sunday Car Boot Sale) was established in September 2006 and varied by the Joint Informal Panel in July 2011.
3. The variation meant that West Dorset District Council (now Dorset Council) retains 100% of the monies generated from the Sunday Car Boot Sales subject to the assurances that those monies continue to be set aside for good causes. They should also continue to be distributed on the advice and recommendations from a four member group appointed from the main Dorchester Markets Informal Panel. This variation was sought for a reduction in administration, which had become burdensome for Dorchester Town Council. The variation had no impact on the way in which the Sunday Car Boot monies was ring-fenced or distributed.
4. The responsibility to determine the allocations to local voluntary bodies, based on the criteria approved by the two councils, is a delegated function to officers of Dorset Council and a four member sub group is required to oversee the funds distribution. The Protocol suggests two councillors be appointed from each council.
5. In 2018-19 the sub group consisted of the following councillors. Cllrs A Chisholm, Cllr J Hewitt, Cllr M Penfold and Cllr M Rennie. On average the panel meets once to twice in the year for the purpose of allocating the car boot funds.

6. Members of the joint informal panel are asked to appoint four members (two from each council) to sit on the Car Boot Grant Funding Panel for the period of 2019-2020 in order to oversee the distribution of the net Sunday Car Boot Sale proceeds to local charitable organisations.

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Dorchester Markets Joint Informal Panel Committee

Market Management Report

Date of Meeting: Wednesday 26th June 2019

Lead Member: Cllr A Alford - Lead Member for Customer, Community and Regulatory Services

Lead Officer: Greg Northcote Estates Manager

Appendix 1 is not for publication by virtue of paragraph 3 of Schedule 12A, Part 1 of The Local Government Act 1972, as amended. The public interest in maintaining the exemption outweighs the public interest in disclosing it.

Executive Summary: The Panel receives bi-annual market management reports on the Dorchester Markets and related property and facilities.

Equalities Impact Assessment:

None

Budget:

See related Financial Outturn Report 2018/2019.

Risk Assessment:

Having considered the risks associated with this report, the level of risk has been identified as:

Current Risk: LOW as the fall in income was anticipated

Residual Risk MEDIUM as there is a risk the income could fall further

Other Implications:

Financial: Declining revenue stream as identified in the Report

Recommendation: Members to note the report.

Reason for Recommendation: To ensure that Members are kept informed of progress in respect of management and development of the various markets. To ensure that maintenance liabilities are being addressed and that funds held in

reserves can be applied to fund maintenance if required.

Appendices: 1) Confidential Appendix Ensors draft accounts for the previous financial year.
2) Ensors Management Report if supplied and may be verbally presented at the meeting

Background Papers: None

Officer Contact:

Name: Greg Northcote Estates Manager

Tel:01305-838268

Email: gnorthcote@dorset.gov.uk

Report

1. Background

1.1 Dorchester Market is a Charter Market. Dorset Council owns the Dorchester Market site and has granted a lease dated 1st October 1978 for 99 years to Trustees of the Dorset Council and Dorchester Town Council and entered into an associated Market Agreement that details the management arrangements that are today overseen by this Committee.

2. Dorchester Market – Ensors

Background

2.1 Trustees of the Dorset Council and Dorchester Town Council have leased the site of Dorchester Market to T Ensor and Son Ltd (Ensors) and currently Ensors hold a lease from 2001 for a term expiring in 2026. Ensors have rights to hold a market on Wednesdays and a Car Boot Sale on Sundays every week of the year and on any other days as may be agreed. Ensors undertake the management of the market and are required to provide periodic financial reports. Market Tolls are set by agreement with the Council.

2.2 Market Revenues have been falling for many years owing to the changing pattern of retailing, internet purchasing, and general trends of markets failing to meet the requirements of younger shoppers.

2.3 When the lease was granted in 2001 the rent reserved under the lease was £194,000pa. By 2016 it had fallen to £115,598 and now it is only £77,500 as explained hereafter.

- 2.4 Ensors have provided their draft accounts for the year up to 31st March 2019. This reveals a continuation of the fall in revenue of market stalls from £147,000 in 2017/18 to £136,870 in 2018/19.
- 2.5 For the year up to 31st March 2019 the gross income from Car Boot Tolls has dropped from £50,000 to £46,000.
- 2.6 The overall net income from both these markets has dropped from £102,000 to £97,000.
- 2.7 The proportion of the Market Income paid to the Markets Panel amounted to £82,251 for 2017/18 and the draft accounts now show a drop to £77,500 for 2018/19.
- 2.8 Ensors have reported declining revenues for many years and the Panel has reviewed means to improve performance. Previously officers have commissioned a report from NABMA in respect of the market operations, a Dorchester Market Survey to assess the public's view of the market and have presented a discussion paper called a Vision for Dorchester Market. These have proposed operational improvements and site maintenance works have been approved to support the market. Since the last report various repairs have been addressed as detailed below.
- 2.9 The works to the asbestos sheet roofing are complete. New CCTV has been installed with 9 cameras giving complete coverage of the exterior of the buildings recording 24/7 and saving recordings for 30 days. Signs notifying the CCTV surveillance will be sited shortly. The system will be operational once internal management arrangements are in place. A new main gate has been installed and security managed locking regime is in place. A further gate off Weymouth Avenue has been replaced and when open is locked in place.
- 2.10 The North Linneys have been partially fenced off and works to undertake basic repairs to the roof undertaken.
- 2.11 Last year Ensors took on the electricity charges and were concerned at the level of consumption. Officers could not readily reconcile these costs because of the site complexity. So Ensors agreed to meet all costs until 5th April 2019 and thereafter the costs have reverted to the Council while officers arrange for sub metering of supplies.

3. Cornhill Market

- 3.1 Dorchester Cornhill Market Limited manages the trading pitches marked out at Cornhill under licence from the Council.
- 3.2 This market was originally managed by the Council and subsequently by a co-operative for the market traders. More recently Dorchester Cornhill Market Limited has been granted a licence so that they undertake all the day to day management and the Council simply receives an annual fee of £25,974. The

rent increases in line with the Retail Price Index. Recent instructions from the Markets Panel were to re-issue the lease for a term of three years and terms have been agreed and the matter is with our legal team to conclude.

- 3.3 Rent payments are being received on a regular basis and the agreed profit share from the previous arrangement has now been paid in full.

4. The Dorset Farmers Market

- 4.1 The Dorset Farmers Market continues to operate between Nappers Mite and W H Smith and the legal team are close to concluding the licence to Dorset Farmer's Markets Limited at a initial annual fee of £2,400pa subject to annual reconciliation. This fee is based on an assumed average 10 stalls per month at a toll of £20 each.

5. Cornmarket

- 5.1 The tenants Gary Batt and Guy Schwinge t/a Duke's Auctioneers continue to hold over under the terms of their expired lease.
- 5.2 This situation has continued for several years and is kept under review. Officers believe that the rent passing is potentially less than market rental value. The existing lease imposes external maintenance liabilities on the Council as landlord. This year these were addressed by completion of a programme of works that have brought the building to a good standard of external repair and redecoration.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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