

## **CABINET MEMBER FOR TOWN CENTRES**

**Venue: Town Hall, Moorgate  
Street, Rotherham. S60  
2TH**

**Date: Monday, 1st November, 2010**

**Time: 9.30 a.m.**

### **A G E N D A**

1. To determine if the following matters are to be considered under the categories suggested, in accordance with Part 1 of Schedule 12A (as amended March 2006) to the Local Government Act 1972.
2. To determine any item which the Chairman is of the opinion should be considered later in the agenda as a matter of urgency.
3. Minutes of a meeting of the Health, Welfare and Safety Panel held on 15th October, 2010 (herewith) (Pages 1 - 2)
  - to receive the minutes.
4. Centenary Market Indoor Stall Tenancies (report herewith) (Pages 3 - 5)  
Robin Lambert, Markets General Manager, to report.
  - to offer revised tenancies to all indoor tenants.

**HEALTH, WELFARE AND SAFETY PANEL  
FRIDAY, 15TH OCTOBER, 2010**

Present:- Councillor R. S. Russell (in the Chair); Councillors Dodson, G. A. Russell, Swift, Whelbourn and Wootton; Ms. R. Asquith and Mr. P. Waterworth (UNISON), Mr. C. Booth (GMB), Mrs. S. D. Brook (NASUWT), Mr. J. W. Clay (ATL), Mrs. J. Adams (NUT) and Mr. K. Moore (UNITE)

Apologies for absence were received from:- Councillors P. A. Russell and Smith and from Mrs. C. Maleham and Mr. P. Scholey (UNISON).

**8. MINUTES OF THE PREVIOUS MEETING HELD ON 9 JULY 2010**

Agreed:- That the minutes of the previous meeting of the Health, Welfare and Safety Panel, held on 9th July, 2010, be approved as a correct record for signature by the Chairman.

**9. STATISTICS OF ACCIDENTS, INJURIES AND INCIDENTS OF VIOLENCE TO EMPLOYEES**

The Senior Health and Safety Officer presented the graphs and statistics which illustrated the following details:-

(a) Incident totals for Borough Council Employees - January 2008 to August 2010 – including a breakdown for Children and Young Peoples' Services, Neighbourhood and Adult Services, Economic and Development Services, Corporate (including RBT) and Finance;

(b) Violence to Borough Council employees - January 2008 to August 2010; and

(c) Incidents involving members of the public, pupils, work placements, schemes and other – January 2008 to August 2010.

Resolved:- That the statistical information be noted.

**10. HEALTH AND SAFETY BULLETIN**

Consideration was given to the Health and Safety Bulletin, containing recent articles and reports of legal cases relating to health and safety.

The following items were highlighted:-

- matters of interest from the Health and Safety Executive;
- myth of the month (making candy-floss; use of bunting);

- recent Court Cases.

Resolved:- That the Health and Safety Officers distribute copies of the bulletin throughout the Authority and also publish the bulletin on the Council's Intranet web site.

**11. HEALTH, WELFARE AND SAFETY PANEL - OVERVIEW OF INITIATIVES AND PROCEDURES**

The Panel considered a report, presented by the Senior Health and Safety Officer, summarising issues dealt with by the Emergency and Safety Team since the last Panel meeting:-

- attendance at various schools to examine maintenance work;
- attendance at various schools in response to incidents;
- incidents at Clifton Park (injury to child in play area) and at Ulley Country Park (gas leak);
- investigation of RIDDOR reportable accidents.

Resolved:- That the information be noted.

**12. REPORTS ON VISITS OF INSPECTION HELD ON 24TH SEPTEMBER, 2010**

Consideration was given to matters arising from the visits of inspection made by the Panel on Friday, 24th September, 2010.

The report included the responses provided by Service Areas to the various issues raised at the inspections.

Particular reference was made to:-

(a) Aston Leisure Centre – no responses to the reported incidents, to date, from the Leisure Management Company;

(b) Treeton CE Primary School – Health and Safety Officers to make a further visit to this School to investigate the progress of the various reported items; important issue of adherence to COSHH Regulations on labelling of cleaning materials;

(c) Ulley Country Park – the Health, Welfare and Safety Panel agreed to make a visit of inspection to this Park during either March or June, 2011.

**ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS**

<b>1.</b>	<b>Meeting:-</b>	<b>Cabinet Member for Town Centres</b>
<b>2.</b>	<b>Date:-</b>	<b>1<sup>st</sup> November 2010</b>
<b>3.</b>	<b>Title:-</b>	<b>Centenary Market Indoor Stall Tenancies Ward 2 Boston Castle</b>
<b>4.</b>	<b>Directorate:-</b>	<b>Environment &amp; Development Services</b>

**5. Summary**

To confirm the termination of all Indoor market stall tenancies in accordance with the Landlord and Tenant act 1954 and the offer of new tenancies subject to revised terms.

**6. Recommendations**

- (1) That new revised tenancies be offered to all indoor tenants.  
(Full details of the tenancy revisions can be found in item 7)**

## **7. Proposals and Details**

Notice having been served terminating the indoor Market stall tenancies which come to an end on 15<sup>th</sup> November 2010 as required under the terms of the Landlord & Tenant Act 1954.

It is proposed to offer new tenancies with revised terms, the revisions being:

1. An increase in the lease term from 3 years to 5 years.

This increase:-

- (a) allows prospective tenants to meet the eligibility criteria for access to Town Centre vitality grants.
  - (b) Spreads the cost of lease renewal fees for existing tenants, saving them money.
2. A requirement to maintain the electrical installation in the stall to the standards set by the 17<sup>th</sup> Edition of the I.E.E. regulations and supply a three yearly certificate of conformity.
  3. The right for Market Management to levy fines on tenants not properly observing the market business hours. The scale of fine to be agreed.
  4. The right for Market Management to remove goods placed outside the defined boundaries of the stall by persistent offenders.

## **8. Finance**

See section 9.

## **9. Risks and Uncertainties**

There is a risk that some traders may not wish to accept the new terms choosing instead to relinquish their tenancy resulting in empty stalls. The current trading climate within markets nationally may make this a possibility regardless of whether revised terms are offered or not.

Any risk to the potential redevelopment of the market caused by the proposed term increase is negated by the inclusion of a clause allowing the termination of the tenancy by the Council with 6 months notice.

## **10. Policy and Performance Agenda Implications**

The markets division supports regeneration priorities by providing a sustainable environment for small business and business start up.

**11. Background Papers and Consultation**

Consultation has taken place with RMBC Development Team, Legal Services, Asset Management valuers and the Markets Consultative Committee who act on behalf of the tenants.

**Contact Name : Robin Lambert, Markets General Manager, 6956,  
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