

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

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

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 15th 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 17th 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.

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