



Petitions Committee

Minutes - 13 June 2014

Attendance

Members of the Petitions Committee

Cllr Val Evans (Chair)
Cllr Judith Rowley
Cllr Alan Bolshaw
Cllr Bhupinder Gakhal
Cllr Arun Photay (Vice-Chair)
Cllr Daniel Warren

Employees

Steve Barlow	Environmental Health Manager
Chris Huddart	Head of Commerce Services
Steve Woodward	Head of Service Public Realm

Part 1 – items open to the press and public

Item No. *Title*

- 1. Apologies for absence**
There were no apologies for absence received.
- 2. Declarations of interest**
Councillor Photay declared that he had worked for a few months on Bilston market in 1998.
- 3. Minutes of previous meeting**
The minutes were approved as an accurate record of the previous meeting.
- 4. Matters arising**
Cllr Rowley asked whether there was more information regarding the access requirements referred to on page 3, which Steve Perry had agreed to investigate. Tessa Johnson agreed to find out this information for the next meeting.

Cllr Rowley asked for information regarding the parliamentary act due in October 2014, referred to on Page 4 and 5. Steve Barlow informed the committee that a training session was scheduled for next week and the committee could be updated on the change in law after that.
- 5. Schedule of petitions**
The committee resolved to receive the update.
- 6. Bilston Market - Objection to the Increase In Fees & Charges 2014/15**

Cllr Evans welcomed the new members of the petition committee.

The petitioners stated their names for the record as Jag Sandhu, Eric Bateman and Colin Caddick. Jag Sandhu outlined the basis for the petition, and that it was in opposition to the 5% increase. The petitioners had met with Council representatives before the rent rise and they reported that they had requested another meeting before 11 March. Jag Sandhu claimed that they were refused a meeting until after 11 March, when the rent rises were agreed by Cabinet. The petitioners felt the rise was conducted democratically and for a number of years, rises had been imposed quickly. Jag Sandhu reported that the petitioners felt that the market is a success story and brings a lot of money to the city. Eric Bateman added that the traders are paying more rent than the equivalent on the high street and reported that currently his market stall is running at a loss.

Cllr Reynolds told the committee that the rent rise was only for weekly licensees, not long term lease holders. Over a five year period, it is about 2% a year which he claimed was a reasonable rise. Cllr Reynolds told the committee that this amounts to an additional cost of 70p and £1.90 per stall, and where there has been reports of higher rises, this is due to the trader renting multiple stalls. He reported that the Council feel it is reasonable as there is high demand for stalls, with 25 potential traders currently on the waiting list. Cllr Reynolds told the committee that charges can be varied if necessary and if demand drops they can be lowered. He added that Wolverhampton indoor market and Wednesfield market are all paying the higher charges. Cllr Reynolds told the committee that the Council has spent £250,000 on a new air conditioning unit which shows that they are invested in the market's future. He added that license holders pay on a weekly basis, which means that stall holders can leave on one week's notice if they so desire.

Chris Huddart recognised the fluctuation of the income of the market and if occupancy levels change than the Council can reduce the rents.

Mr Sandhu told the committee that in 2010/2011 there was a full Council debate on a petition regarding market rent rises. A 7% rise was initially agreed but this was frozen for the second year, equalling a 3.5% rise. Jag Sandhu questioned why in the report there is only a rise of 1.5% in 2010/2011. Chris Huddart responded that the freeze and petition in question related to 2009/2010, where there was a 3.5% rise. Jag Sandhu asked why only the indoor market traders' rents were being increased, whilst others had a freeze. Cllr Reynolds responded that there was a move to minimise the difference between different types of license holders and equalise the charges.

Jag Sanhu told the committee that he did not believe that the Council had helped the market to thrive, particularly when other councils such as Sandwell Metropolitan Borough Council give their market traders business relief. He added that many traders had been occupying the market for decades and had created a vibrant and successful market, and invited the members to visit. He challenged the policy of reducing rents when occupancy levels drop, which he reported had happened in Walsall, who had subsequently had to reduce the rent. Jag Sandhu told the committee that he believes that the Bilston market subsidises the Wolverhampton and Wednesfield markets, and that it provides guaranteed income to the Council. Eric Batemand added that the footfall figures are misleading, as most of the visitors

do not have much money to spend. Jag Sanhu agreed. He added that the market representatives did not have any influence over financial matters, and that the security guard had already been removed without consultation. He told the committee that the rent rise will result in him paying an additional £590 per year for his market stalls.

Cllr Evans invited the committee to ask questions to the petitioners, employees and Cabinet member. Cllr Gakhil asked the traders if they believed the Council had played a role in the market's success, and Jag Sandhu responded that the success is only due to the quality and friendliness of the traders. He added that the Council should act as a responsible landlord and that they should protect the businesses and not put them at risk. Cllr Photay thanked the petitioners for attending. He asked the employees whether the decision had been made behind closed doors and whether the correct protocol had been followed. He also added that markets are about communities and relationships and whether the Council had reviewed the bottom line figures of the market traders' income. Jag Sandhu responded that the traders had had to absorb the rises, making the market less affordable, and that he had noticed his turnover has gone down. Eric Bateman reported that his business was making a loss and has been for the past year and that currently he was living on past earnings. Colin Caddick added that the indoor market is full but the outdoor market is empty.

Cllr Reynolds said that he had spoken to the traders in January. Chris Huddart added that some of the financial information relating to traders' turnovers was sensitive. He added that the Council does contribute to the experience of the customers, such as the building, car park, and ensuring there is a wide range of stalls. The Council is investing £250,000 on air conditioning this year. Cllr Photay asked whether the Council had reviewed market traders' accounts before agreeing the rise. Chris Huddart responded that the Council had requested bottom line figures but had not received any formal figures from the market traders. He said there would be ongoing consultation. Cllr Bolshaw asked for further clarity on the figures and whether rent rises in previous years had been substantially higher. Cllr Reynolds said that previous to the five years in question, there had been an annual rise of between 2 – 3%, despite inflation being approximately 3.5% during the same period. Therefore, he added that the real term rise is closer to 1.5% and most of the time the rises would have been in line with inflation. Cllr Warren thanked traders for bringing the petition. He enquired as to how long the waiting list for stalls currently was. Carole Walker responded that some traders had been waiting for a couple of years but the list is updated regularly. She added that demand for the indoor market outstrips supply and there are weekly requests for stalls. Cllr Rowley sympathised with Jag Sandhu's position but reiterated the very serious financial situation the Council is in.

Eric Bateman asked why there are empty outdoor stalls when there is a waiting list for the indoor market. Carole Walker responded that the outdoor market has an incentive scheme for renters and on average it is currently 67% of its 117 stalls are occupied, with Thursday closer to 80% occupancy. Cllr Reynolds said there is a nationwide occupancy issue. Eric Bateman told the committee that traders who had been there for a long time would be forced to leave, and said that the Council accounts needed to be checked by an external auditor. Cllr Reynolds said there may be commercial confidential issues with sharing that data.

The meeting was temporarily adjourned.

Cllr Rowley suggested a fifth recommendation asking for a relationship agreement to be drawn up between market traders and Council. Cllr Warren added that there should be a forum where profit numbers are shared and there can be consultation. Cllr Photay stated that he wanted further consultation with the traders before the rent rises are passed this year.

Resolved:

To agree the recommendations, with the following additional recommendation:

That a relationship protocol be drawn up between traders and Council employees and to incorporate a level of consultation before the rent review next year.

7. **Vermin in St Giles Crescent**

The lead petitioner introduced herself as Emily Wilkinson and that her father, Mr Wilkinson, was accompanying her. She told the committee that there had been an ongoing problem with mice in her property before Christmas. Bait had been laid down by Wolverhampton Homes but this had not resolved the issue, and there were other nearby properties who were also experiencing vermin in their properties. She voiced her concern that the mice could affect the health of her children. She told the committee that she had had to pay pest control £65.

Steve Woodward told the committee Environmental Control had not been informed prior to the petition of an infestation. He also added that the table contained in the report listing pest control treatments included multiple treatments in the same property. He told the committee that since the petition, there had been a number of actions completed including rubbish removal and a review of the keeping of birds in the area and that he believes that the problem has now been resolved. Steve Barlow added that there had been nine complaints over the past seven years in the area.

Emily Wilkinson reported that she called Environmental Health three times after the bait had been laid, and she was told there was no sign of droppings. She was not pleased with the way that Environmental Health had treated her and felt that they wanted to pass on the issue to Wolverhampton Homes. She felt that they did not sympathise with her. Steve Barlow said he could not comment on a specific conversation but apologised on behalf of Environmental health if this was the case. He said that the team always responds to complaints, even if they do not have the remit for them, and they frequently liaise with Wolverhampton Homes, Public Realm etc to try and bring a resolution to issues raised.

Cllr Photay thanked the petitioner for attending. He asked for the names of Council employee she spoke to. Emily Wilkinson said that she was in shock after the call and therefore did not take their name. Cllr Photay asked for the team to be made aware of the situation and ensure they are polite whilst speaking to customers. Cllr Bolshaw asked the petitioner what lessons the Council should learn from her experience. Mr Wilkinson responded that they should listen to the services users and respond appropriately, without passing the problem on. Emily Wilkinson said that she had been frightened of the mice and concerned about her children's health and that she

wanted to be treated correctly from the first contact. After the petition had been signed, she was happy with her treatment but felt that she should not have had to resort to a petition. Cllr Gakhal asked whether there were any fields in the area. Emily responded that there was a lot of building work, including apartments being built. Steve Woodward confirmed there was no nearby fields. Cllr Gakhal asked if there was any indication of why the mice had returned. Emily Wilkinson responded that she kept the house very clean and had followed advice she had found on the Internet and that visiting employees had been happy with the state of her property. She did not know why the mice had returned. She told the committee that other properties had had the same issue, and there was mice in the street. She added that she was concerned that the mice may return in the winter. Cllr Warren thanked the petitioner for her attendance. He asked how the Council is dealing with the mice in the street. Steve Woodward responded that there was a paid for service of Pest Control, and the actions already taken had negated many of the issues, including neighbouring properties keeping birds. There had also been action taken by Andrew Finch against some tenants. Steve Woodward was confident he had taken all possible actions to reduce the issue of mice in the area.

Resolved:

To approve the recommendations.