

	<p>CABINET</p> <p>24TH MARCH 2020</p> <p>Birkenhead Market</p>
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Leader of the Council, Cllr Pat Hackett, said:

“Birkenhead Market has been an institution for the town and for Wirral for almost two centuries but, like many retailers, has struggled in recent years against competition from online sellers and against a background of austerity.

“We have been working hard to find the best way to support the market and we are determined to ensure its future is bright. This report outlines how we can achieve that as part of our wider ambitions for bringing about major regeneration in Birkenhead town centre.

The new market will once again be a destination people will travel from far and wide to visit, as well as providing for the people of Wirral.”

1. REPORT SUMMARY

This report seeks approval for the redevelopment of Birkenhead Market to bring forward a modern and fit-for-purpose market offer through a new build on the current Birkenhead market site. It is anticipated that the new Birkenhead Market will be developed as part of the Birkenhead Commercial District programme delivered by the Wirral Growth Company.

This Full Business Case seeks approval to support the redevelopment of Birkenhead Market on its current site to deliver an improved service offer for the population of Wirral. In addition, it will act as a key driver for the regeneration of the town centre by attracting a mix of more traditional shoppers as well as younger generations, residents and visitors who may not have visited the market.

The consultation carried out by the Wirral Growth Company in respect of the Birkenhead Commercial Business District confirmed the importance of a thriving market to the overall vitality of the town centre and the need for the current market to be re-provided to achieve this.

The regeneration of the town centre is a long-standing priority for the Council and is reflected in The Wirral Council Plan 2025 through the requirement to deliver inclusive economic growth as a key priority to ensure residents are able to access good, high paying jobs in a stable and thriving economy.

This matter affects the Birkenhead and Tranmere Ward within the Borough.

This is a key decision.

EXEMPT INFORMATION

This report contains exempt information in the Appendices as defined in Schedule 12A of the Local Government Act 1972. It is in the public interest to exclude the press and public under Paragraph 3 'Information relating to the financial or business affairs of any particular person (including the authority holding the information)'.

Appendix 1 includes the Birkenhead Market Full Business Case.

RECOMMENDATIONS

It is recommended that the Cabinet:

1. Approves the Full Business Case and adopt the preferred option as outlined in the report, i.e. to demolish, redesign and redevelop the current market site.
2. Authorises the Director of Regeneration and Place to progress the preferred option for the redevelopment of Birkenhead Market, as outlined in the Full Business case, and in line with the outcomes of consultation on regeneration plans and provide a report back to Members on the proposed design, funding and financial modelling.
3. Authorises the Director of Governance and Assurance to initiate the termination of current market stall tenancies and other occupational arrangements at the appropriate time.
4. Authorises the Director of Governance and Assurance to issue new tenancies or other occupational agreements with market traders at the appropriate time.
5. Approves the adoption of initiating a trader selection criterion as outlined in the detailed full business case.
6. Approves the scale of the new market offer to accommodate an approx. 35, 00sq.ft scheme.

SUPPORTING INFORMATION

1.0 REASONS FOR RECOMMENDATIONS

The reasons for these recommendations are:

- 1.1 Birkenhead market's infrastructure incurs high maintenance liabilities and the building as it currently stands is expensive to operate, inappropriate for its current use and is not energy efficient. Ongoing repairs and maintenance costs are estimated to grow quite significantly over the next few years in its current state.
- 1.2 The general look and feel of the market is becoming tired externally and internally and requires a transformation to make it more appealing to the general public and traders alike, otherwise it is likely to continue to face pressures of decline.
- 1.3 The establishment of the Wirral Growth Company and its plans for the development of a new town centre provide a significant opportunity to develop and enable an attractive, well-designed market in the heart of Birkenhead utilising the current footprint but on a smaller scale.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 The options of 'Do Nothing', '39 Borough Pavements (M&S)' & 'Town Centre Retail Unit (B&M)' have been explored in great detail and are fully considered within the Full Business Case which is attached to this report as Exempt Appendix 1.

3.0 BACKGROUND INFORMATION

- 3.1 The history of Birkenhead's original market was opened on what is now the site of Birkenhead Town Hall, on the 10th July 1835. The land was donated by Francis Price, the building costing £4,400. By 1841 the growth in population of the town resulted in the building of the 'Old Market' in 1845. The market was constructed by Fox, Henderson & Co. who, six years later in 1851, completed Crystal Palace. Both splendid buildings, supposedly fireproof, came to the same end, Crystal Palace caught fire in 1936 and the market in 1969 and then again on the 9th November 1974.
- 3.2 Following the two fires at the expanded market, the decision was taken to move it to new premises adjoining the Grange Shopping Centre Precinct in 1977.
- 3.3 In the 1990s the Pyramids Shopping centre opened, and the previous market site was redeveloped, and significant investment took place resulting in the creation of Europa Square, the bus station, new market frontage and new street furniture. However, since then the market has seen a decline in both businesses and customers, and it is no longer the bustling and thriving place that it once was. In addition, the fabric of the building has deteriorated and it's not only costly to maintain, but it does not meet the requirements of a modern market.

- 3.4 A catalyst for driving growth throughout the borough includes delivering a strong and thriving Birkenhead Town Centre and the Market has been identified through consultation as a key element of this centre. The Wirral Growth Company has conducted various outreach public consultation events and at each event residents have confirmed the importance of Birkenhead Market to the town and its residents.
- 3.5 On the 18th December 2018 full Council approved the acquisition of the long leasehold interest in Birkenhead Market to facilitate its assimilation into the Council's freehold title.
- 3.6 Consideration for the provision of a new Market is included within the scope of the Birkenhead Commercial District development. This provides the opportunity to bring forward a redeveloped Market to create a 'go-to' destination.

4.0 FINANCIAL IMPLICATIONS

- 4.1 Financial provision within the existing funding arrangements for the redevelopment of the market has been made within the Wirral Growth Company's Partnership Business Plan which was approved by Cabinet on the 24th February 2020. In addition, the Full Business Case for the Future High Streets Fund that will be submitted to Government will include a financial request for capital funding to support the scheme. It is anticipated that the costs of the redevelopment will be provide for through these planned funding allocations.
- 4.2 Further specific financial details of the scheme are set out in the Full Business Case attached to this report as Exempt Appendix 1.

5.0 LEGAL IMPLICATIONS

- 5.1 The Council has full ownership of the freehold of the current market site.
- 5.2 Further legal due diligence and input will be required to inform the development of the preferred option of the scheme.
- 5.3 The Council's right to hold a market in Birkenhead is contained in the Birkenhead Improvement Act 1833 and the Birkenhead Corporation Act 1881. These rights are often referred to as "Charter Rights" as the original grant of the right to hold a market in Birkenhead was made by Royal Charter in the thirteenth century. By having the right to hold a market in Birkenhead, common law implies that this exclusivity extends to 6 2/3 miles.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 6.1 Internal officers to co-ordinate and manage all project related activities, undertake financial modelling and monitoring supplemented by external resource where necessary. These costs will be met from existing budgets.

7.0 RELEVANT RISKS

- 7.1 Key risks are set out in the table below. A full risk register is provided within the Full Business Case attached as Exempt Appendix 1

Risk	Mitigating Action	Impact
Construction is delayed resulting in savings not being realised according to plan.	This will be managed through the programme management arrangements that have been put in place to support project delivery.	Medium
There is a risk that vacant Market is not disposed of / developed promptly leading to additional costs, e.g., business rates, security, etc	Developments and relocations will be phased. A Relocation Plan will be designed in accordance with this ensuring that buildings are made available at the appropriate stages during transition.	Medium
Unexpected events or unknown conditions adversely impact costs and potential viability of any site or phase.	This will be managed through: Programme governance arrangements, e.g. Reporting and control mechanisms, ongoing risk and issue management, etc. Sensitivity analysis on the financial calculations. Ensuring that surveys are accurate. Contingency costing is undertaken as part of Site Development Plans (SDP's).	Medium
Risk of lots of voids	Maintenance Schedule Good Marketing campaigns Reasonable Rent charges Selection of good tenants Be open minded	Medium
Planning Permission	Consideration required around 'change of use'	Medium

8.0 ENGAGEMENT/CONSULTATION

- 8.1 Consultation with residents, local businesses and traders on the Wirral Growth Company's proposed redevelopment of Birkenhead town centre which include a new Market offer - began in June 2019 with specific consultation taking place on the 20th June with Market traders and a number of one-to-one discussions have taken place with market traders and will continue throughout the duration of the development.
- 8.2 A second stage of consultation was carried out throughout October and November 2019 where the public were asked to comment on the emerging Wirral Growth Company masterplans with specific focus on options for a new market.
- 8.3 Feedback from the consultation outlined that Members, residents and traders view the Market as a 'unique' and an important asset to the local community. However, it was acknowledged that the market was in great decline and needs to be improved.

9.0 EQUALITY IMPLICATIONS

- 9.1 The equality impact assessment associated with this report can be accessed here: <https://www.wirral.gov.uk/communities-and-neighbourhoods/equality-impact-assessments/equality-impact-assessments-2017/economic>

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

- 10.1 Through the Wirral Growth Company, the Council will be an advocate of promoting energy efficient buildings and of ensuring that any new developments minimise their impact on climate change.
- 10.2 The Council is putting in place a range of measures to accelerate progress to adopting a zero-carbon environment and the recommendations in this report will be taken forward to reflect these measures.
- 10.3 Environment and climate considerations are key elements which will be specifically tested by Wirral Growth Company throughout the procurement of all contractors (in line with standards set out within the Wirral Growth Company Partnership Agreement).
- 10.4 Social Value Plans will be developed which will include consideration of a number of Health, Safety and Environmental issues.

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APPENDICES

Appendix 1	Birkenhead Market Full Business Case	Exempt by virtue of Para 3, Part 1 of Schedule 12A of the Local Government Act 1972
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BACKGROUND PAPERS

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Cabinet: Wirral Growth Company	24.2.2020
Consultation responses Stage 1	September 2019
Consultation responses Stage 2	January 2020