



**Report of Director of City Development**

**Report to Scrutiny Board (Infrastructure, Investment and Inclusive Growth)**

**Date: 20 November 2019**

**Subject: Car Park Proposal – Outdoor Market**

Are specific electoral wards affected? If yes, name(s) of ward(s): Little London & Woodhouse	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Has consultation been carried out?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Will the decision be open for call-in?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, access to information procedure rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**Summary**

**1. Main issues**

- The Council in responding to Market Trader concerns regarding the availability of suitable, low cost parking in the immediate vicinity of the Market have explored options to bring forward a viable proposal for an additional short stay car park to supplement currently available parking.
- Traders have been consulted on indicative proposals and there is a majority in support for the proposal given the significant benefit that additional low cost parking will bring to the Market.
- Sufficient operational capacity exists within the Open Market to facilitate the proposals without the need for any loss in traders although certain relocations will be needed.
- Matters of environmental sustainability have been considered as an integral element of the proposal.

**2. Best Council Plan Implications** (click [here](#) for the latest version of the Best Council Plan)

- Should the proposals progress they would support the Best Council Plan priority around Inclusive Growth.

### **3. Resource Implications**

- Should the proposal move forward, costs will be met from the business case for the scheme with the annual revenue forecast being more than sufficient to cover the cost of financing.

### **4. Recommendations**

- a) Scrutiny Board Members are requested to note and comment on this report and the proposals contained within it.

## **1. Purpose of this report**

- 1.1 The purpose of this report is to advise Scrutiny Board on the background and current position with a proposal to introduce a short stay, surface level car park on part of the outdoor market.

## **2. Background information**

- 2.1 During 2013 traders expressed concerns about their lack of involvement in the management of the market. After detailed dialogue, the consensus was to set up a Market Management Board. The board has no formal decision making powers but helps to inform strategy and future direction of the market. The Board is made up of Councillors from the local ward and cross-party representation, senior managers with responsibility for markets, three trader representatives from the indoor and outdoor market and three independents with relevant knowledge or experience in retail and commerce.
- 2.2 Against this background, two of the trader representatives on the Market Management Board were concerned about the impact that the loss of the surface level Union Street car park was having on traders in the market and requested that the feasibility of providing a short stay shopper's car park that was well related to the market be investigated.

## **3. Main issues**

- 3.1 The Market Management Board requested Council officers to explore the business case for the proposed provision of such a short stay car park (duration of stay up to 1 hour) close to the Market and subsequently an area on the outdoor market was identified as a possible location. Traders were also consulted to test the extent of their support for such a proposal, which is outlined further below.
- 3.2 Both George Street and New York Street were also explored as a means of access/egress to the car park and Highways discounted anything from New York street given volume of bus traffic and stops.
- 3.3 It is the case that there are multi-storey car parks in the area and so it could be argued that there isn't a shortage of car parks. Notwithstanding that point, it is the case that multi-storeys do not readily lend themselves to short stay users as users don't want to travel onto upper floors for relatively quick visits due to lower floors being occupied by those staying longer or having permits.
- 3.4 The overriding objective of the proposal is to provide a short stay, accessible and affordable car park to drive footfall to the market, resulting in increased sales for existing traders. Currently the market supports 245 independent businesses and their employees, which, in the context of the Inclusive Growth Strategy is a sector that the Council seeks to support.
- 3.5 Against that background, it is worth noting that mainstream conventional retail proposals commonly include customer parking as an integral part of their proposals. Recent examples approved in the last 3 years include a new supermarket on Amberton Road, Gipton, which provided 126 car parking spaces and the new supermarket in Stanningley, on Town Street, that provided 267 car parking spaces. Accordingly, the majority of tenants are in favour of the market having a short stay

car park that is affordable and accessible for customers to help ensure the long-term sustainability of the independent businesses that operate there.

- 3.6 The proposed car park will have 42 car parking spaces including disabled (blue badge), provision for electric vehicles and also 8 spaces for motorbikes.
- 3.7 As the maximum is one hour parking this should result in significant turnover of spaces during trading hours. In addition, and also to support the wider city centre night-time economy, there should be sufficient demand in this area of the city centre to open the car park for evening parking from 6pm.
- 3.8 The proposed car park scheme involves the removal of 55 existing stalls but will include installing 19 new, purpose built stalls in order to retain the popular area known as the fruit and veg (f&v) line. The capacity of the outdoor market is too large with 185 stalls, in contrast to aspects of the market which are working very well such as the market kitchen which is 100% occupied, the outdoor market is performing less well and this is replicated nationally at 50% occupancy. Taking this into consideration there is more than enough space to accommodate any trader having to be relocated in order to develop the car park.
- 3.9 The estimated build timeframe is around 13 weeks and some of the works would be completed out of hours, it is envisaged that disruption to traders will be minimal. However compensation would be considered for those individuals having to relocate to new stalls if disruption to business was caused. As with any building work there will be a marketing campaign to support traders during any works promoting the outdoor market is still open for business.
- 3.10 Plans are attached as appendices to this report of the current layout to the outdoor market and the plan of the proposed new layout which includes the car park.

## **4. Corporate considerations**

### **4.1 Consultation and engagement**

- 4.1.1 During October 2017 the Market team consulted with all indoor and outdoor market traders regarding the proposal. The consultation was undertaken in three phases, as follows:
- The outdoor market traders directly affected by the proposal - i.e. the traders whose stall(s) will/may have to be removed to make way for the car park;
  - All other outdoor market traders;
  - All indoor traders.

The results were as follows:

In favour	Against	Not sure	Not seen	total
137 (64%)	49 (23%)	26 (12)	2 (1%)	214

- 4.1.2 As the proposals evolved and progressed, all licensed outdoor traders were invited to a meeting in Summer 2018 with the Market Management Team for an update on

the car park proposal. As a result 6 sessions were arranged in July, attendance was as follows:

Traders invited to attend meeting	87
Declined	59
Accepted, but then did not attend	14
Attended	14

4.1.3 More recently, and as a result of ongoing concerns raised by some outdoor traders, (mainly those who will have to relocate to a new stall as a result of the car park), the decision was taken to undertake a trader ballot (managed by Leeds City Council Electoral Services) to determine the percentage of traders in favour/against the proposal.

4.1.4 Each trader was entitled to one vote, which was a postal vote. The result of the ballot is summarised as follows:

Number of ballot papers distributed:	245
Ballot papers returned:	105
Spoilt papers:	2
Votes in favour of the car park:	72
Votes against the car park:	31

All three market trader representatives were invited to the final ballot count, of which one attended.

4.1.5 Adjacent neighbours have been consulted on the scheme proposals, these included The West Yorkshire Passenger Executive and National Express, National Car Parks (NCP), Hammerson and John Lewis (as owners of the neighbouring multi storey car parks). A meeting was held with NCP management who raised concerns regarding the impact on their business as a result of the competitive pricing structure of the proposed car park. No comments were received from the other consultees.

4.1.6 Consultation was also undertaken with Leeds Taxi Owners Ltd and the Disability and Diversity group of the Access Committee for Leeds (ACL). The taxi owners raised a concern regarding the loss of taxi spaces in the existing George Street rank, this will be addressed via the Planning approvals process.

4.1.7 The Disability and Diversity group were generally supportive of the proposal from a design and layout perspective but specifically requested that the aforementioned taxi rank is made wider to accommodate wheelchair access to and from taxis. Again this will be addressed via the Planning approval process.

4.1.8 Ward Members have also been consulted and no objections were raised.

### **Objections**

4.1.9 As part of the LCC Planning application process, over one hundred comments and observations were received. The Project team identified the following emerging/recurring themes:

- (i) 'Impact on the environment and contrary to the LCC declaration of a climate change emergency';

- (ii) 'The proposal is the start of the destruction of the outdoor market/part of a wider plan to reduce or remove the market';
- (iii) 'Negative impact on the market and concerns that traders will lose their livelihoods';
- (iv) 'Already sufficient car parks in the area so this one is unnecessary'.

4.1.10 The Project team is now in the process of formally responding to these comments as part of the LCC Planning process. The team's response will be as outlined below.

#### 4.1.11 'Impact on the environment/climate change emergency'

- (a) The Market team is very aware of the climate change emergency declaration and how the proposal to build this car park may be seen as contradicting this. However the application is for a short-stay car park that will encourage shopping at the market and hence support its vitality;
- (b) The Market team have introduced a number of measures to reduce the carbon impact of the market. This includes working closely with new and existing traders to encourage traders to sell locally sourced, produced and manufactured goods which supports the local supply chain and the wider region. By staying local, market traders also contribute to reducing food mileage/carbon footprint, market businesses are also extremely proactive in terms of reducing – and in some cases eliminating – packaging;
- (c) A market by its nature generates minimal food waste as traders are very skilled in purchasing the correct amount of fresh stock at competitive prices and by doing so provide an essential service to customers who are on a budget and are also environmentally conscious. Any food waste that is generated is recycled into animal feed. Often fruit and vegetables that would be disregarded by major supermarkets, despite it being perfectly ok is bought and sold by our traders at a heavily reduced cost. This not only supports the environment by it not going into landfill but it also supports the poorer communities within our city make healthy food choices. The majority of our food to go businesses buy direct from other businesses within the market helping to reduce the impact of food miles;
- (d) In order to be a market focussed car park, it is proposed that the maximum length of stay will be one hour which will mean people will mainly shop within the locality of the market, the length of stay is not suitable for extended shopping trips to the whole of the city centre;
- (e) This thinking aligns with the City Centre Core Strategy Policy T1 which supports the management of car parking to restrain commuter car parking but supports the provision of adequate short stay parking to support the health and vitality of the city centre;
- (f) The council's parking policy similarly encourages permanent short stay car parking within the city centre core to support the vitality of the city centre;
- (g) The Project team consider that whilst the car park will attract some new car users it is anticipated that the majority of users will not be new to parking in the area but will simply be displaced from the neighbouring car parks, this is because the proposed car park will be more competitive in terms of cost and accessibility;
- (h) The proposed car park is small in terms of number of spaces (42) and whilst the turnover of cars using each space will have to be quite high to make it sustainable in reality the number of additional car journeys made to the car park will be insignificant when compared to the National Car Park (NCP) next to the

market which has 600 spaces and the John Lewis (JLP) car park which has c800 spaces;

- (i) Also to note Hammersons are in early discussions regarding a proposal to build a hotel in the area that is currently used as a surface car park within the footprint of the JLP building. Should this proposal go ahead then this will result in a loss of c50 spaces adjacent to the location of the proposed car park therefore offsetting the additional spaces being introduced;
- (j) The planning for the car park was developed prior to the Council announcing a climate change emergency in March 2019, however it is recognised there is a need for transition to electric vehicles (EV). The scheme will include the provision of two charging points for electric vehicles which is the number required by the Council's planning policies. The scheme will also seek to incorporate the provision of infrastructure to allow for an increase in the number of electric charging points in line with the transition of expected growth of electric vehicles. It should also be noted that designated parking spaces for EVs and motorcycles will be incorporated into the design in line with existing Council policy.

#### **4.1.12 'The proposal will be the start of the destruction of the outdoor market/part of a wider plan to reduce or remove the market'**

- (a) The Council is committed to the future of the market, there are no plans to remove the outdoor market and this scheme is further evidence of this long term commitment;
- (b) As stated since the closure of the Union street public car park traders have raised concerns with Markets Management that the closure has resulted in a significant negative impact on the market. Therefore the proposal for this car park arose as a direct result of these concerns - the overriding objective of the proposal is to provide a short stay, accessible and affordable car park which will drive footfall to the market, resulting in increased sales for existing traders. The car park will also be convenient to shoppers who want to purchase heavy/bulky items from the market and then be able to easily transport these to their vehicle, similar to the arrangements in places at supermarkets and out of town retail parks;
- (c) Having said that, it should be noted that in line with many outdoor markets across the country, Leeds outdoor market is facing significant challenges mainly as a result of the decline in shopping on the high street in general. As a consequence of this there has been a noticeable decline in the number of new and young traders wanting to trade from outdoor markets;
- (d) The current higher level of vacancies mean that the outdoor market can easily accommodate the car park in that all traders who are located in the area of the car park will be relocated elsewhere on the market, either onto new stalls built as part of the scheme or onto existing vacant stalls;
- (e) This reduction of the footprint (and number of stalls) of the outdoor market will be a positive outcome in terms of an opportunity to reduce the number of vacant stalls and all the negative connotations associated with this.

#### **4.1.13 'Impact on the market and concerns that traders will lose their livelihoods'**

- (a) As stated previously overall the car park will have a positive impact on the market and is a further demonstration of the Council's commitment to the future viability of the market. As also stated no traders will lose their livelihood as a result of the proposal, given the current level of stall vacancies on the outdoor

market the non-fruit and veg traders who have to move will be relocated onto the existing vacant stalls elsewhere on the market.

#### **4.1.14 'Already sufficient car parks in the area so this one is unnecessary'**

- (a) As stated the proposed car park is short stay, surface level with competitive pricing to help drive footfall to the market. The nearest car parks (NCP and JLP) are multi storey and comparatively expensive to use so therefore not really comparable. Multi-storey car parks are not considered popular for customers who wish to visit for short stay. It should also be noted that there has been a reduction in on-street parking in the immediate area over recent years;
- (b) In addition to the aforementioned electric vehicle charging point spaces on the car park two disabled parking bays will be provided which will significantly benefit blue badge holders as there is currently very limited disabled parking provision in the vicinity of the market.

#### **Consultation with other stakeholders**

4.1.15 In addition to these group of objections, detailed comments from the LCC Transport Development Services team, West Yorkshire Police, Leeds Taxi Owners were also received. As part of the process the Project team are now in the process of formally responding to these comments.

4.1.16 Consultation was also undertaken with adjacent neighbours on the scheme proposals, this included the West Yorkshire Passenger Executive, National Express, National Car Parks, Hammersons (owners of the Victoria Centre) and John Lewis who all raised no objections to the scheme.

#### **4.2 Equality and diversity / cohesion and integration**

4.2.1 There are no obvious implications in relation to cohesion and integration. An issue in relation to disability access has been identified by a consultee and this will be addressed via the planning approvals process.

#### **4.3 Council policies and the Best Council Plan**

4.3.1 Should the proposals progress they would support the best Council Plan priorities around Sustainable Infrastructure and Inclusive Growth.

#### **Climate Emergency**

4.3.2 Significant measures are proposed to mitigate and minimise the impact that additional car parking will bring forward.

#### **4.4 Resources, procurement and value for money**

4.4.1 There are no specific budget or resourcing issues for Scrutiny Board to consider.



## **4.5 Legal implications, access to information, and call-in**

4.5.1 There are no specific legal implications for Scrutiny Board to consider.

## **4.6 Risk management**

4.6.1 There are not considered to be any risk management implications from the proposal other than the risk issues connected to any civil engineering project. Standard project management risk minimisation and mitigation will be applied should the project proceed.

## **5 Conclusions**

5.1 As identified in the main body of the report, the proposal for a short stay car park has been brought forward at the request of trader representatives. Accordingly officers have progressed the technical and financial feasibility of such a scheme in support of traders' aspirations and in recognition of a significant amount of support identified through consultation and a trader vote. In addition, consideration has been given to the need to maintain the viability of 245 independent businesses operating in what are difficult retail conditions many of which operate in a significantly environmentally sustainable way, whilst also supporting positive outcomes to the local economy. Within the proposal measures have been introduced to facilitate the expansion of electric charging points over time as more vehicles use this form of fuel. At this time a final decision on whether to progress this proposal will be subject to the outcome of a planning application and also taking into account Member views following this Scrutiny Board meeting.

## **6. Recommendations**

6.1 Scrutiny Board Members are requested to note and comment on this report and the proposals contained within it.

## **7. Background documents<sup>1</sup>**

7.1 None.

## **8. Appendices**

8.1 Plan of Current Layout

8.2 Plan of Proposed Layout

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<sup>1</sup> The background documents listed in this section are available to download from the council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.