

## OFFICER DECISION RECORD

To be used to record (i) Executive (Non-Key) decisions and (ii) Any non-executive/ Council side function decisions.

**1. Subject Matter / Title:**

Termination of market trader licence in the Council's Indoor Market Hall

**2. Decision Reference No:**

Economy 31/03/16

**3. Decision Taken:**

To serve 28 days' notice, terminating trading licence and seek recovery of outstanding rental charges through Court action.

**4. Reasons for the Decision: Background**

A business has been trading from the market hall for some time and has over this period of time accumulated substantial arrears. Engagement has been sought to meet and discuss how this debt can be serviced with a view to seeking an arrangement to allow continued trading and payment of future invoices, but the trader has not responded to these requests.

Termination of the licence will ensure outstanding unit rental arrears do not increase. It will offset and minimise costs (legal and otherwise) that may be incurred by Ashfield District Council in pursuance of outstanding arrears. It also allows consistent regulation to be applied, to ensure that all market hall traders comply with licence terms and conditions.

The Deputy Leader Economic Growth, Cllr Don Davis has been consulted with regards to this proposed action.

**5. Alternative Options Considered / Rejected:**

Not to approve rescinding of the licence, and to allow the trader to continue business practice whilst not paying sums due to the Authority on a regular basis.  
Rejected – as this would allow the trader to continue trading and accrue further arrears.

**6. Implications**

Corporate Plan:

**ECON2 – Improving the prosperity and shaping the future of our town centres**  
Review Markets and Town Centre Management function.

**Human Resources:**  
No direct Implications

**Legal:** Recovery of outstanding amounts will require Officer time to produce case files and information to be presented to Court.

**Financial:**  
Recovery of outstanding amounts allows performance indicators and income figures for the current financial year to be met for stall 1

**Health and Well-Being/Environmental Management and Sustainability:**  
No direct Implications

**Diversity / Equality**

**Community Safety:** No direct Implications

**Employees / Trade Unions:** No direct Implications

**Name / Title and Signature of Chief Officer taking the Decision:**

---

Date: 4/8/16

**Name / Title and Signature of Lead Cabinet Member consulted (if appropriate)**

---

( please note that as this is not a key decision, this is not subject to call-in and is circulated for information only)

**Please note – If a Cabinet Member has a conflict of interest relating to this decision, this should be declared and a request for dispensation will be considered.**

Date:

**Name / Title and Signature of Committee Chairman consulted (if appropriate)**

---

**(for non Executive/Council side function decisions)**

**Date:**

**\* For Executive Decisions only - this ODR form should be circulated to the Democratic Services Team for publishing in accordance with the Executive Arrangements (Meetings and Access to Information) Regulations 2012.**