

**Presentation to the Petitions Committee of  
the National Assembly for Wales  
by the  
Keep Abergavenny Livestock Market campaign group**

**Tuesday 23rd June 2009**

Keep Abergavenny Livestock Market (KALM) is a campaigning group of local citizens from all walks of life and all political persuasions who came together in February this year in order to challenge the Monmouthshire County Council (MCC) regeneration plans for the town.

**The historical background to the KALM petition.**

Monmouthshire County Council (MCC) owns the Abergavenny livestock market site, which comprises about 4 acres on the edge of the town centre. Under a series of Victorian Acts (The Abergavenny Acts 1854 - 1871) they have a statutory duty to provide a livestock market within a defined area in what is today the town centre. The market is leased to a private firm of auctioneers who run it. It is a repairing lease, but no repairs have been done for many years and the market is in need of refurbishment.

Some years ago a decision was taken by MCC to develop the site and move the livestock market elsewhere. Who took the decision and by what process is not known, but what is known is that there was absolutely no consultation about this momentous decision, which would end hundreds of years of Abergavenny's history as a market town. The public were not consulted, nor the affected farmers nor the Town Council.

In 2004, after a deeply flawed procurement process, MCC announced that developer Henry Boot had secured the contract to develop the site. Secret negotiations then ensued and it became impossible to find out what was going on. The community, through the Community Area Forum set up by MCC to improve consultation, became concerned and wished to have a say in what was to happen on the site but were assured that their fears were groundless as the negotiations were only to do with land ownership and that we would be consulted later about the actual development.

In September 2005, after almost a year of total secrecy, the Henry Boot design was shown to the public for the first time in a so-called 'consultation,' but everything that the community wanted to be consulted about had already been fixed by a legal agreement. The community believed they had been lied to and both the design and the lack of prior consultation caused uproar.

Opposition gathered pace, spear-headed by an alliance of local organisations under the umbrella name SAUCE - Save Abergavenny's Unique Character and Environment. The lack of consultation about whether people wanted the town to lose its historic market town status gave rise to a popular movement under the banner Save Our Market Town (SOMT). It had the active support of the Chamber of Trade and most independent shops carried the SOMT posters.

Over 3000 letters of objection were collected in Spring 2006 and sent to the Planning Committee. Via a Birmingham law firm the SAUCE group provided evidence to the Committee of how they had been misled over the application. In late 2006 they rejected it.

In the intervening years there have been feeble attempts by MCC to get a better deal from the developer but the scheme has steadily got worse from the community's point of view. Every public meeting and test of opinion during that time has decisively rejected the schemes. Representations were made to the Welsh Audit Office, the Ombudsman and a call-in request was made, all to no avail. These communications will be on WAG files.

Eventually the developer acceded to repeated demands for him to find a better architect. There ensued a competition in 2008 in which four architects submitted schemes, two were ruled out immediately by the developer as "not financially viable" and the public were asked to vote on the two remaining ones. The two failed designs were initially kept secret but eventually released after massive public pressure. They were found to be a little more acceptable on both design and community content than the two designs selected by the developer, though still disappointing.

At a meeting of the Community Forum in January 2009, all four designs were overwhelmingly rejected on design and economic impact criteria. From the community's viewpoint, the latest "winning" design is the worst yet, and the most

economically damaging for the town. It has been clear all along that Boot and their supermarket partner are calling the shots, despite the Council, as landlord, owning the site. MCC, chastened by the hostility evident at the meeting, offered to consult on possible amendments.

### **The MCC Regeneration Plan**

The MCC objective since 2004, taking as its premise the sale of the Abergavenny livestock market, is to redevelop the sale yard site as a large superstore and retail park and, with the proceeds from the sale of this considerable public asset, build a regional cattle market out of the town. Planning permission for this is currently being sought at Bryngwyn, near Raglan, which is not too distant from the regional market of Ross-on-Wye.

### **KALM Campaign Beginnings**

KALM was formed in February 2009 following the first 152 telephone calls to local farmers who readily gave support to a campaign to oppose the repeal of the Abergavenny Improvement Acts of 1854 –1871. Contrary to MCC claims, the farmers informed us they had not been consulted about whether or not they wished to keep the livestock market in Abergavenny.

### **Signatures and Demonstration**

The campaign struck a chord and took off very fast. During the ensuing weeks KALM collected 5,270 signed letters from shoppers, 303 signed letters from farmers and over 4700 petitioners' signatures opposing the repeal of the Acts. In addition, a demonstration was held in the town which was attended by 430 residents and farmers who received loud support en route from shoppers and retailers. Many shops carried banners supporting the KALM campaign.

The shopper and farmer letters were analysed to see where supporters live and the results were tabulated. Two demographic analysis tables are included with this submission, one for the shoppers and one for the farmers. The data on where Abergavenny shoppers live not only undermines the RPS retail study supporting the Boot application, but reveals the massive footfall that Abergavenny stands to lose when the superstore decimates the independent retail sector, as such stores have done all over the UK. These data were obtained outside the main visitor season.

### **General Shopper Feedback**

During KALM's signature gathering campaign in the street on Tuesdays and Saturdays many shoppers were spoken to including a great many from out of town and further afield (see the analysis tables). Visitors told us they chose to shop and visit Abergavenny because it is a market town which is friendly, traditional and unlike their towns back home, had not been spoiled by supermarkets. Many people, especially from the valleys said they came for the market which is considered one of the best in the country.

Time and again words like 'character', 'traditional', 'friendly', 'atmosphere' and 'scenery' cropped up. Locals were quick to point out the examples of empty high streets believed to be brought about by supermarkets: Brynmawr, Pontypool, Brecon and Merthyr.

### **Geographically Well Placed**

Geographically, Abergavenny sits in a kind of bowl central to, and at the foot of, a hill and mountain farming population which chiefly comprises small, often scattered and isolated farms. Regular livestock market users come from Merthyr, Torfaen, Blaenau Gwent and Powys as well as the immediate environs of the Llanthony and Golden Valleys, and all areas within a fifteen mile radius and out to the Herefordshire border.

### **Local Farmers' Reasons for Keeping the Livestock Market**

It is these small to medium farmers for whom Abergavenny is most important (the larger, commercial farm enterprises chiefly favour the regional market model). The local and district farmers spoken to during the course of signature gathering during the campaign gave, between them, many and varied reasons for keeping the livestock market in Abergavenny:

- 1) To maintain a degree of independence from the supermarket monopolies of livestock movement and price.
- 2) To continue to carry out their (traditional) market day business in Abergavenny where all the amenities are to hand.
- 3) To avoid carrying livestock further afield where possible

- 4) None wanted to see the cattle yard become a retail park
  
- 5) Many farmers are also tourism operators - accommodation, camping and caravan sites etc., and recognise the damage which would be caused by changing the nature of the town and denting the market town status Abergavenny enjoys.
  
- 6) A train of thought expressed by some suggested it would be a mistake to remove the livestock market from the public gaze (the public being also customers) and indeed, there is a good case for strengthening the interaction between consumers and producers.
  
- 7) A great number of farmers would like to see the reinstatement of a nearby slaughter house (not the one on site already closed down) in order to ensure the best quality product (reducing food miles).
  
- 8) Many spoke of the 'atmosphere' and of comraderie of the market place and often referred to tradition.
  
- 9) All bemoaned the sad, run-down appearance of the livestock market and believe this state of things to have been deliberate.
  
- 10) Many think the whole yard (part was fenced off during the last foot and mouth outbreak and was never returned to the site) should be restored to the market so that best use can be made of the available space for loading, turning and have an exit (as once) as well as entrance.

#### **Fact-finding visit to Skipton livestock market**

On a recent KALM fact-finding visit to Skipton (regional) Market in Yorkshire, many of the issues raised by our farmers found echoes in what the General Manager, Jeremy Eaton, had to tell us from their own experiences. Skipton Market, owned by auctioneers and farmers, who own 95% of the shares, moved out of town to a site on Skipton's fringe in the late 1980s. The local market users would travel as far as North Wales and even Scotland in order to avoid the new market. The traditional sales atmosphere was absent with the result that livestock prices were poor - a situation which has been cleverly rectified over recent years.

Second, the link between townspeople and the livestock market, formerly present when the market was in town, was missing. This is still an issue being rectified but they are making inroads and the livestock market is becoming more of a community in its own right with agricultural retail units, educational facilities and even a theatre which occupies the specially adaptable main auction ring. By 2000, we were told, Skipton Market was on the edge of failure. Since then a transformation has taken place; many ideas implemented from the old traditional style market in order to create the atmosphere, a sense of belonging and being part of something. The site now makes a substantial profit and employs more than 180 people on a daily basis (full and part-time).

### **Lessons for Abergavenny**

KALM members deduce from discussions with local farmers here that there is a positive benefit to retaining an in-town market. With Skipton in mind we also realise that Abergavenny market has a ready-made 'atmosphere' which is priceless. The opportunity is also there to provide excellent service and amenities to the farmers and further integrate the yard with the life of the town in a way which is very difficult with an out-of-town market like Skipton.

In spite of the dismissive attitude of the protagonists of selling the livestock market towards the word 'tradition', it is worthwhile to contemplate the value of 'tradition' 'atmosphere' and 'community' within the context of fuelling economic buoyancy in a progressive way - especially in the light of the Skipton experience.

### **Some benefits of redeveloping Abergavenny livestock market**

It is not for KALM to present a blueprint for the redevelopment of Abergavenny livestock market; nor relevant to the present petition. However, our visit to Yorkshire has strengthened our view of the possibilities for Abergavenny, which has the great advantage over Skipton market of being close to the town centre. Some of the benefits are:

- saving Abergavenny town centre from the economically destructive effects of a retail park and over-large superstore

- achieving regeneration through localisation, providing for clearly expressed local needs with local solutions, which is a key goal of sustainability and low-carbon living which MCC are committed to.
- giving local farmers what they are asking for
- saving MCC from having to find £5M to provide a new livestock market on a greenfield site.
- saving the greenfield site
- avoiding the traffic problems that the proposed regional site at Bryngwyn would bring
- addressing the long-expressed concerns of all the opposition groups to the Boot developments, including KALM, the Abergavenny Chamber of Trade and the Bryngwyn Action Group near Raglan.

### **The position of the auctioneers**

The present lease-holding auctioneers (AMAL) have presided over an uncertain future for some years now, given the long-standing saga of MCC regeneration plans. However they have made it publicly known that the current market is no smaller than the new proposed site. Also, they have said, should a new, regional market not be forthcoming they will fight tooth and nail to keep Abergavenny.

KALM has been much heartened by this and perhaps they might see their customers and buyers also deserve some sense of security. Any new site is at least three years away in any event.

### **In conclusion**

The climate for food production, animal food in particular, is changing and local sustainability is fast moving up the national political agenda.

The refurbishment of Abergavenny Livestock Market presents many excellent and forward-looking opportunities in this, the award-winning food producing county of Monmouthshire.

As a very popular visitor town and tourism destination, Abergavenny is marketed as 'Market Town Gateway to the Black Mountains'. The retention of the livestock market and its development as an important, country town centre for the marketing of the 'Welsh Brand', together with our internationally renowned Food Festival link, would do a great deal to enhance and regenerate Abergavenny and help to increase the visitor industry yet further.

KALM believe this is the way forward for regeneration: to capitalise on what we already have in great abundance rather than sell our most valuable asset to the highest bidder in order to fulfil a programme which can only diminish the town's economic and social cohesion.

Finally, KALM would question the right of the MCC to sell such a valuable, publicly owned asset in order to provide a free market place for a private company for which they (the company) will pay a peppercorn rent. KALM would challenge the MCC to show this to be value for money or a fair return for the tax payers' sacrifice.

It is for all these reasons that KALM is asking the National Assembly to safeguard Abergavenny's priceless asset by keeping in place the Acts which guarantee its future.

KALM

23rd June 2009



KALM Demographic analysis of Farmers' pre-printed letters of Objection to the loss of the livestock market  
from farmers trading in Abergavenny livestock market - March / May 2009

Area	Tues 17 Mar	Wed 18 Mar	Sat 21 Mar	Tues 24 Mar	Wed 25 Mar	TOTAL ALL DAYS	% age of Total
Abergavenny & district (incl. Clydach, Crickhowell, Llangattock Cwmdru, Llanbedr, Pontrilas, Pandy, Walterstone, Grosmont, Cross Ash, Llangattock Lingoed, Fforest Coalpit, Cwmyoy)	47	18	9	10	2	<b>86</b>	42.6
Newport/Caerleon	1	7	-	-	1	<b>9</b>	4.5
South Monmouthshire (incl. Caldicot, Chepstow, Undy, Magor, Rogiet)	-	7	1	-	3	<b>11</b>	5.4
Usk & district	1	3	2	-	6	<b>12</b>	5.9
Pontypool & Cwmbran	8	4	1	2	1	<b>16</b>	7.9
South Wales valleys (Excludes Pontypool & Cwmbran)	7	9	2	2	6	<b>26</b>	12.9
Cardiff/Caerphilly	1	5	-	-	1	<b>7</b>	3.5
Monmouth & District (incl. Dingestow and Mitchel Troy)	2	4	1	1	-	<b>8</b>	4
Forest of Dean	2	1	-	-	1	<b>4</b>	2
Hereford and district	2	1	4	-	1	<b>8</b>	4
Other distant locations (incl. Cowbridge, Llandysul and Brecon)	3	5	3	1	3	<b>15</b>	7.4
<b>GRAND TOTAL FROM THE MARKET</b>	<b>74</b>	<b>64</b>	<b>23</b>	<b>16</b>	<b>25</b>	<b>202</b>	100
% age of farmers outside Abergavenny & district	36.5	71.9	60.9	37.5	92	<b>57.4</b>	
PLUS letter returns from farmers received by post or via personal canvassing						<b>101</b>	
<b>GRAND TOTAL FARMERS LETTERS FROM ALL SOURCES</b>						<b>303</b>	

KALM Demographic analysis of pre-printed letters of Objection to the loss of the livestock market - March / May 2009

Abergavenny shoppers living outside the catchment area used in the 2006 RPS Planning 'Retail Assessment'

Area	Sat 14 Mar	Tues 17 Mar	Sat 21 Mar	Tues 24 Mar	Sat 28 Mar	Tues 31 Mar	Sat 4th Apr	Sat 18th Apr	<b>TOTAL ALL DAYS</b>	% age of Total
<b>Total number of shoppers in survey</b>	<b>582</b>	<b>588</b>	<b>670</b>	<b>323</b>	<b>576</b>	<b>441</b>	<b>549</b>	<b>348</b>	<b>4077</b>	<b>100</b>
South Wales valleys (Excludes Pontypool and Blaenavon*)	126	116	174	49	140	60	161	88	<b>914</b>	22.4
Newport/Caerleon	14	29	29	10	27	18	16	17	<b>160</b>	3.9
South Monmouthshire (Caldicot, Chepstow, Undy, Magor, Rogiet)	8	16	11	8	6	9	8	4	<b>70</b>	1.7
Cwmbran *	22	24	23	9	15	18	16	12	<b>139</b>	3.4
Hereford and district	12	13	6	12	26	13	22	6	<b>110</b>	2.7
Swansea/Vale of Glamorgan	7	28	15	17	12	10	17	5	<b>111</b>	2.7
Cardiff/Caerphilly/Barry	24	27	20	11	21	15	19	9	<b>146</b>	3.6
Monmouth	8	8	5	2	11	18	6	1	<b>59</b>	1.4
Gloucestershire	11	15	8	8	8	14	4	9	<b>77</b>	1.9
Greater London area	6	3	6	0	0	6	4	3	<b>28</b>	0.7
Other distant locations (incl. Midlands, Brecon/Powys and West Wales)	62	44	53	26	71	45	54	47	<b>402</b>	9.8
<b>TOTAL shoppers outside the RPS catchment area</b>	<b>300</b>	<b>323</b>	<b>350</b>	<b>152</b>	<b>337</b>	<b>226</b>	<b>327</b>	<b>201</b>	<b>2216</b>	<b>54.3</b>
% age of shoppers outside the RPS catchment area	51.5	55	52.2	47	58.5	51.3	59.5	57.7	<b>54.3</b>	
<b>PLUS</b> total letter returns from shops and individuals during the whole survey period									<b>1193</b>	
GRAND TOTAL LETTERS FROM ALL SOURCES, but excluding farmers									<b>5270</b>	

\* The catchment area used by RPS Planning includes Blaenavon and Pontypool (Appendix 1 to their 'Retail Assessment' dated Jan 2006.) These towns have therefore been **excluded** from the above analysis together with all other places within the RPS catchment area.

**Carwyn Jones AC/AM**  
Y Cwmsler Cyffredinol ac Arweinydd y Tŷ  
Counsel General and Leader of the House



Llywodraeth Cynulliad Cymru  
Welsh Assembly Government

Eich cyf/Your ref PET-03-205  
Ein cyf/Our ref CJ/00021/09

Val Lloyd AM  
National Assembly For Wales  
Cardiff Bay  
Cardiff  
CF99 1NA

11<sup>th</sup> June 2009

Dear Val,

Thank you for your letter dated 28 March 2009.

As you know my role as Counsel General is to provide legal advice to the Welsh Assembly Government and not to the Assembly or its committees. However, in response to Oral Assembly Questions I have said that I would be prepared to give an answer that outlines the state of the law.

On that basis, and confining my response to the powers available to the Welsh Ministers, section 58 of the Local Government (Wales) Act 1994 provides:-

**58 Modification etc of local Acts and instruments**

- (1) This section applies where any local statutory provision ("the relevant provision") is—
- (a) continued in force in any area by section 57, or
  - (b) amended or modified in its application to any area by an order under section 54 or 55 (a "modifying order").
- (2) The Secretary of State may by order or (as the case may be) the modifying order may—
- (a) extend the relevant provision throughout the new principal area in which it is continued in force;
  - (b) provide that the relevant provision as so continued, amended, modified or extended shall have effect in that area to the exclusion of any enactment for corresponding purposes, including any enactment contained in or applied by this Act;
  - (c) make such modifications of any such enactment as will secure that the enactment and the relevant provision will operate harmoniously in that area;

- (d) repeal or revoke any local statutory provision to which this section applies and which appears to the Minister to have become spent, obsolete or unnecessary or to have been substantially superseded by any enactment or instrument which applies or may be applied to the area, persons or things to which or to whom the relevant provision applies;
  - (e) transfer to any authority appearing to the Minister to be appropriate any functions of an old authority under any local statutory provision to which this section applies which are not to become functions of some other authority under any provision of this Act (except section 54, 55, 57 or this section) or under any other instrument made under this Act;
  - (f) without prejudice to paragraph (e), make such modifications of any local statutory provision to which this section applies in its application to any new local government area as appear to the Minister to be expedient.
- (3) An order under this section which extends the area for which any local statutory provision is in force shall be provisional only.
- (4) In this section "the Minister" means—
- (a) in relation to an order made by the Secretary of State under subsection (2), the Secretary of State; and
  - (b) in relation to a modifying order containing provision made by virtue of subsection (2) of this section, the Minister making that order.

The powers contained in section 58 of the Local Government (Wales) Act 1994 were transferred to the Assembly constituted by the Government of Wales Act 1998 and, under the Government of Wales Act 2006, have now transferred to the Welsh Ministers.

Yours sincerely



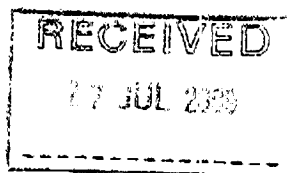
**Carwyn Jones AM/AC**  
Y Cwnsler Cyffredinol ac Arweinydd y Tŷ  
Counsel General and Leader of the House

**Brian Gibbons AC/AM**  
Y Gweinidog dros Gyfiawnder Cymdeithasol a Llywodraeth  
Leol  
Minister for Social Justice and Local Government



Llywodraeth Cynulliad Cymru  
Welsh Assembly Government

Eich cyf/Your ref P-03-205  
Ein cyf/Our ref BG/05175/09



Sandy Mewies AM  
Transport House  
64 Chester Street  
Flint  
Flintshire  
CH6 5DH

24 July 2009

*Dear Sandy,*

Thank you for your letter about Abergavenny Cattle Market in which you outlined the Committee's recent deliberations following receipt of a petition calling upon the National Assembly not to repeal the Abergavenny Improvement Acts 1854 to 1871 ("the Acts").

You ask that the Committee be alerted should I receive an application for the repeal of the Acts, and also whether I would automatically seek to repeal the Acts (once planning consent for a development had been granted), or whether I would consult prior to taking any decision.

I have mentioned on previous occasions that I have no view as to whether there should be a cattle market in Abergavenny. That is rightly a planning matter for Monmouthshire County Council and, should it be called in, the Minister for Environment, Sustainability and Housing. I understand that the Counsel General has written to the Committee outlining the powers available to Welsh Ministers to repeal the Acts, and I can confirm that I would not automatically seek to repeal the Acts if I were to receive an application from Monmouthshire County Council following completion of the planning process. I would need to consider the circumstances at the time such a request was made, and in order that I may do so, I would need to consult and consider any responses received.

As requested, I shall inform the Committee if I receive a request from Monmouthshire County Council to repeal the Acts.

Yours sincerely

*Brian Gibbons*  
**Brian Gibbons AM**

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RECEIVED  
1 SEP 2009



Sandy Mewies,  
Temporary Chair of the Petitions Committee,  
National Assembly for Wales,  
Cardiff Bay,  
CARDIFF,  
CF99 1NA

Your Ref/Eich Cyf: P-03-205  
Our Ref/Ein Cyf: SKFG/LB/02  
Date/Dyddiad: 28<sup>th</sup> August, 2009  
File Ref:  
The Person dealing  
with this matter is/ Mr. S.K.F. Greenslade  
Y Person sy'n delio  
gyda'r mater yma yw:  
Tel/Ffôn: 01633 644266  
Fax/Ffacs: 01633 644260  
e-mail address/ stevegreenslade@  
cyfeiriad e-bost Monmouthshire.gov.uk

Dear Mr. Mewies,

**Re: PETITION: KEEP ABERGAVENNY LIVESTOCK MARKET**

I refer to your letter dated 10 July 2009 to which I have now been asked to respond. I apologise for the Council's delay in dealing with this matter.

I have now also had the opportunity to review the minutes of the proceedings of the Petitions Committee on the 23 June 2009 when the petitioners in respect of the above petition were invited to address the Committee.

The Council is the landowner of the current Abergavenny cattle market site which is situated in the town centre shopping area of Abergavenny. The current market is operated under a lease from the Council to a local firm of market auctioneers.

The market is in a poor condition and, although the current market auctioneers are under an obligation to keep the market in good repair, it is understood that the market is not sufficiently viable to generate enough income to bring the old market up to modern day standards nor, even if someone made a major capital investment to improve the market condition to thereafter maintain it fully. The existing site, restricted as it is on all sides, is also too small for current needs. Quite simply the cost of improving the current market to modern standards is prohibitive and funds do not exist to enable this to happen and thereafter maintain the current site. However, the sale of the site for development will raise sufficient funds to finance the provision of a new modern cattle market facility on an alternative site.

Furthermore, the Council are also having to consider the long term future of Abergavenny as a shopping centre in its own right. Recent retail survey reports commissioned on the viability of the town centre have identified that the current spread of uses taking place has led and will continue to lead to a leakage of shoppers to other nearby shopping centres. A proposal by a

Correspondence from the public is welcome in Welsh or English / *Croesewir gobebiaith gan y cyboedd yn Gymraeg neu Saesneg*  
S.K.F. Greenslade J.P., C.P.E.A., I.R.R.V.

Corporate Director, Regeneration, Environment and Resources Directorate/  
*Cyfarwyddny Corfforedig, Cyfarwyddiaeth Adfywio, Yr Amgylchedd ac Aduoddau*

Monmouthshire County Council, County Hall, Cwmbran, NP44 2XH. *Cyngor Sir Fynyv, Neuadd y Sir, Cwmbrán, NP44 2XH.*

private developer for an out of town shopping centre has also come forward in recent months and this is likely to have a significant effect on the town centre unless steps are taken to actively improve the “offering” available. The retail reports commissioned have identified that the best solution to stop any further detrimental impact on the town centre and to turn around the situation is the creation of a town centre superstore.

With both of the above issues in mind, the Council have determined to sell the existing cattle market site for redevelopment as a superstore and to provide a new cattle market in an out of town site. The lack of other suitable town centre sites for a superstore has been a key driver in this decision.

The Council have moved forward on the replacement cattle market and as well as purchasing a suitable site (near Raglan) the Council has also secured planning permission for the development.

At the moment, what remains of the Abergavenny Improvement Acts requires that the Council should hold a cattle market within an area of the town centre prescribed by the legislation. It does not restrict the market to the current site but there is no other suitable site within the town centre area. Much of the Improvement Acts have already been repealed through the enactment of subsequent local government legislation.

In order to assist your understanding of the current position with regard the proposals I attach an appendix to this letter which sets out the Council’s response to the questions that were raised by your committee members to the petitioners. I have dealt with the questions in the order they were asked by the members.

With regard to the repeal, the Council has submitted a request for the Minister to consider the repeal of the legislation but this has now been overtaken to an extent by recent events and the withdrawal of ASDA from the project. However, the Council will need to seek a repeal of the Abergavenny Improvement Acts in order to proceed with a redevelopment of the cattle market site and it is anticipated that a further request to the Minister to make the necessary order will follow in the future.

The Council does appreciate that the Minister is not obliged to repeal the legislation and that the Minister must take into account all relevant issues before making a decision in accordance with Section 58 of the Local Government (Wales) Act 1994. Because of that, the arrangement with Henry Boot was, and any future development proposals for the cattle market site will, be conditional upon the Council being able to secure the repeal. It is not correct that the “developer” realised that a repeal of the legislation was necessary after they had made their planning application to redevelop the cattle market. The Council has been fully aware of the need to repeal the legislation from the outset of deciding to seek to redevelop the cattle market and has taken the advice of leading Counsel on the appropriate way forward. Our lawyers have, in fact, been in contact with your officers over a number of years in respect of this matter.

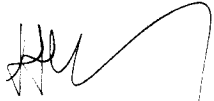
The Council is currently minded to try and secure a planning permission on the town centre site before seeking revocation of the Improvement Acts but the Council may review this position. The Improvement Acts are outdated and the Council has other powers, such as under Section 50 of the Food Act 1994 which would enable it to run a market. It may also be necessary for a compulsory purchase order to be made over the site (this was being proposed as part of the Henry Boot/ASDA scheme) and the Council would need to consider this alongside considering the appropriate time to seek a repeal of the legislation.

I would also assure you that the Council would expect to be able to demonstrate to the Minister that it would be in a position to provide a modern, operational cattle market on an alternative site before seeking formal approval to repeal the Improvement Acts.

Accordingly, whilst I do not expect that the Council will ask the Minister to progress the repeal of the Abergavenny Improvement Acts at the moment I can confirm the Council will seek to have the relevant legislation revoked to enable the redevelopment of the town centre to take place and to allow the provision of an alternative market on a new regional site.

I hope this information is of assistance to your committee but if I can provide any further details on the Council's behalf I would be happy to do so.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'S.K.F. Greenslade', with a long horizontal flourish extending to the right.

**S.K.F. GREENSLADE**

Corporate Director - Regeneration, Environment and Resources



## Appendix

1. The Council had entered into an agreement with a developer (Henry Boot Limited) to secure the provision of a superstore, library, car parking and other retail units to provide a comprehensive redevelopment of the cattle market site. The redevelopment was tied into securing the repeal of the Abergavenny Improvement Acts in so far as they may require a town centre cattle market to be retained and securing vacant possession of the current site. In order to secure obtaining vacant possession of the site the Council was committed to securing an alternative cattle market site.

The redevelopment of the site was therefore effectively conditioned by these pre-requirements and no definitive date can be provided as to when the site would be redeveloped. This has been compounded by the current economic situation which has resulted in the original deal between the Council and Henry Boot Limited coming to an end.

The Council has now resolved that it will go back out to the market to seek to secure the redevelopment of the site as a superstore. It is anticipated that this will raise the best return for the Council on the sale of the asset. Contrary to what the petitioners have suggested this is not a "free marketplace for a private company". It will result in a significant capital receipt for the Council much of which will be reinvested into creating a new cattle market, a new library and major Public Realm improvements at the adjoining Brewery Yard.

2. The original scheme had included a number of other features for the town centre including some residential development. The current proposal is simply for a superstore development and a new library built to Welsh library standards. The local opposition was never co-ordinated in respect of a mixed use proposal with different groups wanting different things in the development albeit the main opposition groups have always acknowledged the need for a superstore on the site. In order to progress the new scheme it will be solely focussed on a superstore and library. It is anticipated that the planning system will control the nature of goods and services offered to bring a maximum regenerating benefit to the town without the adverse consequences suggested by the petitioners.

3. I cannot estimate the number of new jobs which would be created but the figures suggested by the petitioners are low. A recent superstore chain announced the creation of 200 retail jobs at its proposed 20,000 sq feet store in (the report does not indicate gross or net floor space) whilst another chain is promoting 400 jobs at its 45,000 sq feet store. The proposed scheme will be for a net store of between 30-40,000 square feet net and some 45-60,000 sq feet gross which would suggest a possible job creation of 300-400 jobs. The suggested job losses are without foundation.

4. The project has been the subject of extensive public consultation from inception to the time when the Henry Book agreement collapsed. Numerous consultation meetings have been held over the years with interest groups (such as the Chamber of Commerce, the Bryn-Y-Cwm Forum and the Town Council) as well as periodic public meetings. The design contest encouraged the public to have their say and both the Town Council and the Forum were represented on the decision making design panel. Up to the time the agreement collapsed the Council was engaged with Henry Boot in trying to accommodate more and more of the Farmers' wishes. Indeed, it could be said with conviction that it was the extensive consultation and the tireless attempts to push Asda into accepting the wishes of interest groups that eventually led to them pulling out to the overall detriment of the town.

5. The deal involving the Henry Boot Limited and ASDA has now come to an end. The development of the site was always subject to the need to obtain planning permission and so all aspects of how the development took place on the site were both

subject to public consultation and a final decision by the council as local planning authority. This clearly represented a further element of community consultation.

6. I cannot provide a detailed figure on the numbers employed at the cattle market but it would be low in comparison with the new jobs generated by the development. These roles will be transferred to the new site and increased as it will now also serve to run markets from other displaced auctioneers resulting from the closure of the Newport cattle market. Even with this increase in use of the site, the new market will not be viable without the Council building the new market without any hope of the capital expenditure being recovered. However, whilst the superstore is important to Abergavenny so is the provision of this new cattle market for the improvement of the rural economy and support to the agricultural community. This is why the Council is committed to its redevelopment on a more suitable location with the provision of modern buildings and environmentally friendly services.

This relocation will need an appropriate repeal of the relevant parts of the Abergavenny Improvement Acts to enable the market to be provided under the Council's default powers.

7. Whilst the continuation of the market is important, it is not necessary for it to continue to operate on the current site to be important to the local community. By operating within the County it will ensure a far greater draw of potential auctions than could be accommodated in the town centre site. The petitioners refer to the Skipton cattle market which they hold out as an example. They acknowledge that the cattle market itself was not viable but Skipton has turned itself around to make a profit. The Skipton market is built on an out of town site with good road access and ample parking provision. In fact, it is very similar to the new market being proposed by the Council especially in that it was financed from the sale of the original town centre site that is now a Morrisons Superstore. All of the other activities which have been promoted to bring business to the market rely on good transport connections and parking.

8. The Council has employed consultants to review how best to create more opportunities to improve visits and shopping trips to the town centre, The best proposal for that is to introduce a superstore in the town centre which will improve the draw of shoppers and encourage linked trips between the new store and the existing facilities in the town centre. Mr Greenwood also misunderstands the regeneration argument. The idea is not to restrict the number of people who visit Abergavenny and just keep the town centre for "local" people. Instead the idea is to keep local trade and increase the number of visitors so that they come to Abergavenny rather than going to other towns which will thereby increase the economy and viability of Abergavenny as an important retail destination.

The suggestion that the local auctioneers have been "hamstrung" is also incorrect. The auctioneers have been very keen to maintain a relationship with the Council and to secure a new cattle market on an alternative site.

9. In response to Mr German's questions, as mentioned above the ASDA deal is no longer a relevant issue.

10. In response to Mr Davies questions, the Council has been in continuous consultation with the NFU and FFW, both organisations being very supportive. They are very clear on the need for a market in Monmouthshire but equally clear that if Raglan cannot proceed for any reason they would expect to see a continuation of the current market. The Council is in accord with this view. Obviously, the Council acknowledges there will be a number of farmers living close to Abergavenny who would prefer the market to remain for reasons of geographical convenience.

## **Email from KALM to the Petitions Committee – 10 October 2009**

KALM response to the letter and Appendix from Mr. Greenslade dated 28th August 2009

### 1. Viability of the livestock market.

Ref: Mr. Greenslade's letter, 4th para beginning "The market is in a poor condition..." Mr. Greenslade says, "...it is understood that the market is not sufficiently viable to generate enough income to bring the old market up to modern day standards.." What evidence is there for this assertion? The KALM vision is for a refurbished market which also provides amenities for all, and these other amenities will deliver a return both to the developer and to the lessor. A concept plan drawn up by a KALM member is being sent to you by separate post to demonstrate to the PC that alternatives to closure are perfectly possible.

The assertion by Mr. Greenslade that the site is "too small for modern needs" is flatly contradicted by just about every farmer we have spoken to. The current market is operating perfectly well and routinely on roughly two thirds of the total available area and farmers all say that this is quite sufficient, and they should know. Furthermore, Mr Keith Spencer, who is a leading member of the AMAL consortium of auctioneers who run the market, has stated in a letter to the Abergavenny Chronicle that the new market proposed for Bryngwyn near Raglan will have no more livestock throughput than the existing market in Abergavenny. He stated in the same letter that, if the new market fails to materialise for whatever reason, they will make the existing market work. This evidence from a Director of AMAL contradicts Mr Greenslade's unsupported assertion that the present market is too small and not viable.

Mr. Greenslade quite rightly raises the question of finance for refurbishment of the market, but omits to mention that a major source of finance has been overlooked by MCC, namely regeneration grants which are available to local authorities (and only to local authorities) from funding sources such as the Welsh European Funding Office. The Petitions Committee should ask what attempts MCC have made to secure funding from both grant and private sources to undertake a refurbishment programme which could make the market an integral feature of the town for the whole community, with major regeneration benefits. The KALM scheme referred to above gives an indication both of what it could look like and how it could be achieved in stages, without having to close the market to business. The KALM scheme would also generate significant non-livestock revenues for the lessor, as at Skipton, which would make the new scheme economically viable. Have MCC done any research at all into these possibilities? If not, why not?

We think the Petitions Committee should not accept assertions from people who have already made up their minds what they want to do and are not looking for other, and in our view better, alternatives to closure. Mr. Greenslade's letter reads in parts like retrospective justifications for a decision already taken.

## 2. The regeneration argument

Ref: Mr. Greenslade's 5th para beginning, "Furthermore, the Council are also having to consider..."

Mr. Greenslade quite rightly addresses the issue of Abergavenny as a shopping centre and mentions studies which show there has been a leakage of shoppers away from Abergavenny to other shopping centres in the region. He then mentions the very recent proposal by a private developer for "an out of town shopping centre", and the concern about its possible impact on the town centre.

He then, in para 6, lumps these two factors together and says "With both these issues in mind..." Using the recent private development proposal to justify MCC policy is a truly specious argument because the decision to develop the Abergavenny livestock market in order to fund a new market elsewhere was taken many years ago, long before there was any whisper of the new proposal. Retrospective argument again.

Para 5 makes reference to "retail reports commissioned..." which prescribe "a town centre superstore" as the cure for Abergavenny's perceived economic ills. This point is also covered in para 8 of the Appendix to Mr. Greenslade's letter so I will deal with them together here.

The notion that a superstore will regenerate a small town is one of the enduring myths that has bedevilled the Council's policy for years and helped to fuel the huge opposition there has been to it. In Appendix para 8 Mr. Greenslade says "Mr Greenwood misunderstands the regeneration argument." and then credits me with a ridiculous view which I have never held and never expressed. I will try to summarise the issues here:

Footfall. The MCC argument, derived in part from retail studies, is that the town centre has lost trade to supermarkets elsewhere, and so a superstore is needed to claw back these lost shoppers. There is evidence of a loss of footfall in the town centre, and the Chamber of Trade and other groups have in the past supported the building of an "anchor foodstore" to claw back some of this trade. But those groups have always been very clear that the store should be of limited size and its merchandise offering confined to food so as not to compete destructively with the many independent shops which give the town its unique character and bring shoppers from far and wide. A superstore, which sells every kind of merchandise, has always been opposed by these groups, and still is.

It is undoubtedly true that a superstore on the livestock market site would claw back some of the trade currently lost to the town. But for this "clawback" to have a regenerative effect on the town centre, certain improbable conditions would need to be satisfied:

2.1 the clawed-back shoppers, having filled their trolleys at the superstore, would need to walk the length of Market Street in their droves, against the flow of the one-way traffic, and spend quite a lot more money in the town centre. Without those 'linked trips' spending lots more money there is no regeneration. And these clawed-back shoppers are, by definition, shoppers who have neither loyalty to Abergavenny, nor care for what happens to it. If

they had they wouldn't shop elsewhere. These 'disloyal' shoppers simple won't flock into the town centre in sufficient numbers to have a regenerative effect.

2.2 The "claw-back" argument ignores the number of shoppers who currently shop in the town centre, but who will be lured into the superstore instead. This will be highly significant, will almost certainly exceed the number of clawed-back shoppers who make linked trips, and so will have a net degenerative effect on the town centre.

On this theme, I attach a paper originally submitted to MCC in 2005 to disprove the idea that the proposed Asda store would regenerate the town centre. It's argument and logic is equally applicable today. I have challenged many supporters of the supermarket concept to shoot down this argument but none have ever done so. The PC might like to have a go - or to question me about it. One point about my attached analysis is that it is not sensitive to its assumptions, whereas the methodolgy used by retail consultants such as RPS is extremely sensitive to its assumptions, which is one reason why it can be tweaked to get any answer you like.

2.3 One of the by-products of recent campaigning by groups opposed to MCC's plans is a clear demographic picture of where Abergavenny town centre shoppers actually live. The Save Our Market Town campaign in 2006 produced 3000 letters of opposition to the then Henry Boot scheme. 48% of all those shoppers lived outside the retail catchment area assumed for Abergavenny by Henry Boot's retail consults, RPS Planning.

The KALM campaign this year produced over 5000 letters opposing MCC plans and 52% of these shoppers lived outside the same catchment area. We talked to many shoppers during the campaign and a consistent message came out. These long-distance shoppers come to Abergavenny because it is different. It has lots of little shops and no dominating supermarket retail presence. It is not like where they live.

Now, if a superstore is built, and it turns Abergavenny into a 'clone town' like so many others, most of these shoppers will simply stop coming. That's half of all Abergavenny shoppers. Where has this been factored into MCC's calculations or those of its retail consultants?

The retail consultants, on whom Local Planning Authorities and their Planning Committees rely for guidance on retail impact, do not even mention the points summarised in 2.2 and 2.3 above. But for Abergavenny these points are monumentally important. The sum total negative effect of 2.2 and 2.3 will far exceed the positive effect of 2.1. See attached paper for why this is so.

Another point is that these retail impact studies are commissioned and paid for by developers, so they are not impartial, disinterested studies. They infallibly give the answer the developer wants. With my economics background, I have analysed two of these retail studies, both by RPS, and found them deeply flawed - indeed fallacious - and discovered how, and why, they will always give the answer the developer wants. This is not the place to explain why, but I would be happy to explain it to the Petitions Committee if they wished.

Another reason for discounting retail studies emanating from within the development industry is this. Many towns in the UK have had their town centres damaged by supermarkets. Some people call these towns 'ghost towns' or 'clone towns'. Yet the planning application for every one of those supermarkets would have been accompanied by a retail study saying there was no problem and no harmful effect on the town. The planning application would not have been passed had the retail study said otherwise. Yet many towns have been damaged by supermarkets, so all the retail studies for those supermarkets were wrong. They are simply not worth the paper they are printed on and I'm happy to justify that assertion in any forum.

The point for the PC is that Mr. Greenslade's reliance on the conclusions of industry-derived retail consultants is hopelessly naive and misguided. We would suggest that the PC seek a truly independent and disinterested study on the retail impact on Abergavenny of a superstore. We would also suggest that the PC seek the opinion of the Planning Inspectorate within the WAG as to the credibility of developer-commissioned retail impact studies.

In further support of our thesis, here are just three of many studies which have found that supermarkets damage town centres:

- A study by the National Retail Planning Forum found that the average net loss of jobs caused by a new supermarket was 279. Supermarkets always claim to create jobs, but the opposite is true. They count only the new jobs in their store and never count the many job losses as independent retailers and supporting businesses close down. Number of jobs lost always exceeds the number created.
- A study by C. Breed into competition in retailing in 1998 found that a typical new supermarket will cause the closure of all village shops within a seven mile radius.
- A study in 2005 by the New Economics Foundation titled, "Clone Town Britain" found that many once-vibrant and thriving market towns in the UK have had their local economy, distinctiveness and character ruined by allowing the building of sell-everything supermarkets. They show how this explains why so many UK towns now all look the same - hence the term 'clone town.' Abergavenny is not a clone town, but any sell-everything supermarket would turn it into one.

The regeneration argument is fundamental to MCC's whole case for selling the site to a superstore. We believe that the regeneration case for a superstore is not only not proven, but can easily be disproven through the arguments outlined above.

Regenerating a field. Mr. Greenslade Appendix para 7 asserts that the market does not have to operate on the current site for it to be "important to the local community." The proposed new site is in open countryside, about 2 miles from the village of Raglan, where it can have no regenerative effect on anything. By choosing such a remote site, an opportunity to regenerate a town has been squandered.

Jobs. In Appendix para 3 of Mr. Greenslades' letter he refers to the superstore as creating jobs and that our suggested job losses are "without foundation." I refer you to my para above on the study by the National Retail Planning Forum which found that the average net loss of jobs caused by a new supermarket was 279. It has also been estimated that the number of small businesses are closing at the rate of 2000 a week, most of this due to superstores.

### 3. Consultation.

MCC constantly refer to the amount of consultation that they claim has taken place. There certainly has been some consultation of a sort. But what MCC call a consultation is often a process whereby a decision or plan is hatched in secret and then announced to the world in what they call a consultation and we are invited to comment on it. The comments are often ignored.

The only important consultation on Abergavenny livestock market is the one that never took place: namely "Do the people and farmers of Abergavenny and District want to lose, or to retain, the livestock market in the town?" That decision was made many years ago, in secret, and without any consultation whatever. Not even the Town Council.

There are other aspects of Mr. Greenslade's letter which raise further questions, but we do not have the time to pursue these.

In view of the many new issues which have emerged from Mr. Greenslade's letter and our critique of it above, we would welcome the opportunity to be questioned again by the PC as they see fit. The collapse of the former Henry Boot scheme and shift in MCC's strategy for the site we feel is sufficient reason for us to revisit the whole issue.

Barry Greenwood

on behalf of the KALM working group.

Email and attachment read and concurred by Jenny Long, on behalf of the KALM working group.

## Keep Abergavenny Livestock Market

# Investment in Abergavenny's Future

## A Business Opportunity

### 1. Introduction

Jenny Long's letter in the Abergavenny Chronicle on 12th February 2009 struck an immediate chord in the community and a major campaign quickly gathered momentum. The main objective was to raise awareness of the impending loss of a priceless town asset, demonstrate the massive opposition to MCC's current plans to turn the livestock market into a retail park and to argue for a better alternative.

This document summarises what has been achieved so far, sets out exciting ideas for modernising the existing livestock market and presents the case for viewing these ideas as a major business opportunity waiting to be seized,



The KALM March filling Frogmore St. 25th April 2009

### 2. KALM achievements to date

Since its inception the KALM campaign has:

2.1 made personal contact with many farmers, all but one in support

2.2 made alliances with the long-established SAUCE group and the Bryngwyn Action Group

2.3 publicised the campaign through the local press and via street stalls

2.4 secured the support of many town centre shops who put up banners

2.5 held a street march through the town attracting 430 participants and securing a front page lead article in the Chronicle

2.6 obtained 5270 signed letters from shoppers to AM Nick Ramsay calling for the retention of the Abergavenny Improvement Acts, 303 signed letters from farmers in



Presentation to Mike German AM of the letters of opposition and petition signatures



# Keep Abergavenny Livestock Market

addition, over 4750 petition signatures to a National Assembly of Wales (NAW) petition calling for the NAW not to repeal or amend the Acts

- 2.7 presented the KALM case to the NAW Petitions Committee who are taking it very seriously
- 2.8 sought and obtained valuable legal advice from the Environmental Law Foundation regarding the Abergavenny Acts and the conduct of the campaign
- 2.9 caused the Farmers Union of Wales (FUW) to ballot all their regional members on the question of retention of the Abergavenny market, with the ballot coming out 55% in favour of retaining Abergavenny as against a new market at Bryngwyn - a remarkable result
- 2.10 visited the new Skipton livestock market to see what had been achieved there and what lessons could be learned for Abergavenny. This market was privately funded and now runs at a profit, disproving MCC claims that all livestock markets need taxpayer subsidies.

## 3. Skipton livestock market - good ideas for Abergavenny



Some of the agricultural retail units in Skipton market

### 3.1 Features of the new Skipton livestock market in Yorkshire

Members of KALM were given a guided tour and talk on the Skipton market by the General Manager, who is also an auctioneer. The site, built as a regional market, was moved from the town centre to the fringe in 1989. The visit strengthened a belief that our own market could, with inspired management, become profitable and a real asset to Abergavenny.

In its early days, the new Skipton market almost failed, with many local users opting to trade elsewhere, often travelling large distances to markets in places such as North Wales and Scotland. The poor trading results were due in no small measure to the lack of the traditional market atmosphere.

Commercial viability was eventually established by re-creating a market atmosphere and making the market accessible on six, and even seven, days a week by a variety of imaginative measures:



Main covered penna area at Skipton market showing sheep sale ring right of centre

# Keep Abergavenny Livestock Market

3.1.1 introducing agricultural retail units

3.1.2 introducing a veterinary practice

- tractor and farm machinery mechanics and maintenance

- equestrian studies and arena (for which they have space)

- veterinary nurse studies



The main sale ring at Skipton, showing theatre lighting above

3.1.10 capitalising on the removeable stock pens by using the entire covered penned area for other purposes such as exhibitions, auction sales of furniture, antiques, farm equipment, reclamation, rare breed shows, vintage tractor rallies, as well as a meeting space which can be hired out to anyone who wants to stage something.

3.1.11 a water re-cycling system which saves £40,000 per annum in water charges.

3.1.3 adding a cutting room for bespoke cuts of meat for farmers wanting to sell their home-grown meat to local consumers direct from their farms, shops etc. ready packed and labelled.

3.1.4 introduced multi-use and removeable stock pens

3.1.5 weighing of all animals immediately before entering the sale ring

3.1.6 good, clever sale ring lighting with electronic display panel for all to see weights, price etc

3.1.7 making the main 180 seat sale ring adaptable for other uses, including a theatre

3.1.8 introduced a good restaurant and male/female disabled indoor toilet facilities

3.1.9 entered into partnership with a local college to provide rural educational facilities such as:

## 3.2 Ideas for Abergavenny market

3.2.1 Private investment. Skipton market is privately owned by 560 investors, many of whom are market users. The income generated from rental of premises, hire of the space, hire of the sale ring etc has tipped the commercial balance from loss to sustained profitability. There is no reason why Abergavenny market, once the



Abergavenny market on a busy day

# Keep Abergavenny Livestock Market

Abergavenny Acts have been secured, should not be taken by a private consortium of auctioneers, farmers and business investors and turned into a similarly profitable and imaginative business which serves the interests of the livestock market users as efficiently as possible whilst at the same time generating profitable income from a variety of other activities.

3.2.2 Atmosphere. Skipton initially underestimated the importance of generating the right atmosphere and had to work and invest to correct this mistake. Abergavenny market, by virtue of its central location, is not handicapped in this way, having a ready-made atmosphere. The site could however, be further integrated into the community by introducing some of the ideas gleaned from Skipton.



Skipton livestock market frontage, showing that attractive market architecture can be achieved

3.2.3 Multi-use pens. Covered, multi-use stock pens could be introduced and designed to feed into two sale rings. The existing pens are in need of replacement in any event. A new layout could incorporate efficient bio-security much more easily.

3.2.4 Conversion of the slaughterhouse complex. This group of currently run-down but

historic buildings could be converted to some of the uses identified above such as offices, restaurant, small educational facilities and retail premises, possibly with an entrance from Park Road as well as from the market. The rather forbidding appearance could be overcome by imaginative architectural treatment and appropriate windows.

3.2.5 Skipton's new market has benefitted from the vision and drive of one man, an auctioneer who has steered the project from its inception. To redevelop Abergavenny livestock market in the ways indicated above will require similar vision, imagination and entrepreneurship. These qualities need not reside in one person. KALM would envisage a consortium of local people who would ideally include farmers, auctioneers, vets, businessmen and other private investors.

## 4. The need for a plan

What KALM has not so far done is to put forward a plan for the Abergavenny livestock market. This is because it is not the job of KALM to specify a blueprint for a new livestock market, nor to organise a consortium of people who would do it.

What KALM can do is to outline the potential opportunity presented by the livestock market to encourage people with the right expertise to come forward, which is what this manifesto seeks to do.

# Keep Abergavenny Livestock Market

## 5. The constraints on redeveloping the site.

Any plan to redevelop the livestock market as a livestock market must take into account a number of constraints:

- 5.1 The legal agreement between MCC and Henry Boot. However, this does NOT prevent any developer or consortium from putting in a planning application for an alternative plan for the livestock market. The current delays in the MCC/Boot process are working strongly in favour of an alternative developer.
- 5.2 The difficult position of the AMAL group of auctioneers, who are tenants of MCC and understandably do not want to upset their landlord. They are bound to be publicly reluctant to do anything which seems hostile to the MCC/Boot plan
- 5.3 Finance. KALM believes that the Abergavenny site offers a unique business opportunity which could produce good returns for private investors with the imagination to see beyond the run-down yard currently there. Skipton shows what can be done.
- 5.4 The surrounding road infrastructure and the surrounding conservation area, which needs to be respected

## 6. Some advantages of redeveloping the site as a modern livestock market and community resource.

A redeveloped livestock market and community resource would have major advantages over the proposed Henry Boot retail park and superstore:

- 6.1 widespread support within both the shopper and the farming communities, contrasting with the proven massive opposition to the Boot retail park
- 6.2 no damaging retail impacts on the town centre. On the contrary, a re-developed market and community resource would have a positive regenerative effect on the town



Abergavenny market today

- 6.3 a privately funded market would save MCC having to find £5M to build a new livestock market elsewhere.
- 6.4 no need to repeal or amend the Abergavenny Improvement Acts.
- 6.5 securing the future for local farmers
- 6.6 no need for a big underground car park
- 6.7 fewer vehicle movements than with the Boot scheme, which includes car parking for 370 cars.
- 6.8 good integration with Abergavenny's growing reputation as a good food destination, unlike an Asda superstore
- 6.9 good integration with Abergavenny's role as a tourist and visitor destination, unlike a retail park
- 6.10 use of the site for other activities than livestock sales, as at Skipton, thereby

# Keep Abergavenny Livestock Market

providing a community resource and generating revenue which makes it commercially viable, as at Skipton. The Abergavenny site has the enormous advantage over Skipton of being close to the town centre, where Skipton is a mile out.

## 7. Local sustainability for a stronger local economy

Maintaining a buoyant local economy in which the greater portion of income and investment remains within that economy is a vital element of sustainability, a policy to which our County Council is committed. The removal of a staple industry from the town would damage the local



Abergavenny town centre

economy and isolate the agricultural-related services and retail sector from the heart of their business as well as jeopardise the market day business in the town.

The transfer of Newport market to Abergavenny on a Wednesday has resulted in some retailers registering an increase in trade on that day, refuting MCC and National Farmers Union claims that the livestock market no longer increases the

in-town footfall.

A strong, locally-based economy in Abergavenny would bring benefit to the whole town, not just a section of it, and a busy, successful livestock market at the heart of our community would also fulfil a number of roles:

- 7.1 bringing in more visitors and business, complementing the existing town centre trading
- 7.2 strengthen the local sustainability programme and enhance Abergavenny's importance within the local food industry
- 7.3 open up channels for further integrating the relationship between producer and consumer
- 7.4 place Abergavenny livestock market on the agricultural map as a centre of excellence
- 7.5 provide farmers with what they want

## 8. The vision

### 8.1 Unique business opportunity

With its priceless location near the heart of a busy and popular market town the livestock market presents the kind of business opportunity which comes only once in decades. It's far too precious to be squandered on an obsolete twentieth century retail park.

### 8.2 Twenty first century solution

We believe our case for staying put, modernising the market and widening its commercial scope is overwhelmingly compelling for the future of Abergavenny's social and economic prosperity, offering sustainable twenty first century solutions to accelerating changes in climate, resources and, not least, in farming practices.

# Keep Abergavenny Livestock Market

## 8.3 Harnessing and marketing ‘tradition’

We have gleaned much from the idea and application of ‘atmosphere’ and ‘tradition’ and realise that these are not ‘old fashioned’ concepts to be derided, but are a positive element in the marketing of successful progressive business, whatever that business may be.

Abergavenny has these elements, a key one being the livestock market, and already capitalises on them for tourism. Why sell the town short by destroying that key element and allowing a soulless and obsolete retail park in its place? Moreover, one of the few certainties in our uncertain world is the need for farmers to trade livestock because food will never go out of fashion.

## 8.4 the potential for business

Suitably re-designed, re-built, and run as a business, a new livestock market has the potential to:

8.4.1 provide an up-to-date livestock sale facility second to none in Wales and the south west, including a meat cutting room, and thereby bringing in a lot more farming trade than it currently does and helping to re-generate the town centre. (This has already started to happen after the closure of Newport market.) It may need to operate on several days a week, generating more revenue for the business.

8.4.2 provide viewing and other facilities for public visitors, increasing the attractiveness of Abergavenny to visitors and tourists, thereby bringing more trade to the town centre shops.

8.4.3 provide retail outlets on the site geared to both farmers and visitors, increasing the “pull” of the whole complex and generating revenue for the business. It may be possible to adapt some or all of the existing abattoir buildings for this.

8.4.4 provide an advice and resource centre geared to farmers. Again, the abattoir buildings might be suitable for this.

8.4.5 provide community facilities such as those achieved at Skipton by making the main covered penned area multi-use by having removeable pens. The covered pens area could be easily the largest covered space in Abergavenny, increasing the number and type of events that Abergavenny could stage, bringing in more trade to the town and generating more revenue for the business.

8.4.6 the whole enterprise would be funded mainly by those who would use it - farmers, auctioneers, vets, hauliers, but since it would be designed from the outset to run as a profitable business, additional funding could come from local business people, town centre traders (who would greatly benefit from it) and also from local people who would like a small stake in their town.

All this *is* possible, given people with the expertise and drive to make it happen. Mr Eaton from Skipton is very sympathetic to such a venture and has offered to provide informal advice if needed. He’s been there and done it, so his advice could be invaluable.

## 9. The Future

KALM have all but fulfilled the objective of our campaign, having made a strong written and verbal case to the National Assembly of Wales Petitions Committee. The ball is currently in the NAW’s court.

This does not mean we will sit back nor cease applying pressure when appropriate. However, KALM have been challenged by MCC and the NFU on a number of occasions to outline an alternative to building a new regional market on a greenfield site. Their argument that the present site is obsolete is ridiculous. Five acres of land cannot be obsolete: it is the buildings and fittings on the land which are obsolete and these can be replaced by modern alternatives which capture the opportunities outlined above. The run-down state

# Keep Abergavenny Livestock Market



The Abergavenny market site looking south.  
A business opportunity waiting to be seized.

of the market is due to AMAL's understandable uncertainty over the future and MCC's failure as landlord to ensure maintainance.

KALM would like to see the initiative for regenerating Abergavenny livestock market taken up by AMAL together with local business people, farmers and anyone who has a stake in the town.

This vision is shared by a great many people in the community and is the only truly sensible and sustainable way forward. We know it is do-able because people in Skipton have done it, and on a much less ideal site.

We plan to hold an initial meeting for interested people at The Angel Hotel in September.

If you are interested in finding out more and may wish to meet with other like-minded people, please contact one of the authors below in the first instance.

KALM  
July 2009

Authors: Jenny Long and Barry Greenwood, with contributions from a number of members of the KALM working group.

Contacts: Jenny Long, 01981 240711  
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Quote from Edmund Burke (1729 - 1797):  
"No one could make a greater mistake than he who did nothing because he could only do a little."



Sandy Mewies AM  
Petitions Committee  
National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA

Your ref:  
Our ref:  
Email:  
Direct line: 01982 554200  
Date: 11<sup>th</sup> September 2009

Dear Sandy

**Petition – Keep Abergavenny Livestock Market**

May I thank you and the National Assembly's Petitions Committee for seeking NFU Cymru's views on the 'Keep Abergavenny Livestock Market' petition, NFU Cymru represents approximately 600 members in the county of Monmouthshire, and the issue of the location and future of Abergavenny Livestock Market has been the subject of debate and discussion for over 12 years now. The demise of both Monmouth and Newport livestock markets now means that Abergavenny livestock market is the only such market within the county of Monmouthshire, a situation which is of some concern to our members.

Our submission to your committee is based on a county meeting that was arranged specifically to discuss this issue on the evening of 3<sup>rd</sup> September, at the Alice Springs Golf Club near Usk. An invitation was extended to all our farmer and grower members in the county, and we had a turn out of over 100. Over 90% of those present supported the Council's intention to provide the county with a new livestock market, provided that there was a smooth transition from the old site to the new site and that the protection of the Abergavenny Improvement Acts is conferred upon the new site.

It is also worth the committee noting that the catchment area of Abergavenny market takes in not only Monmouthshire but also much of south east Wales including the old Glamorgan counties, significant parts of Powys and of course some neighbouring English counties such as Herefordshire, however as this issue is most pertinent to the county of Monmouthshire we did not canvass the view of those outside of the county.

It is our view that the Central Monmouthshire proposal tabled by Monmouthshire County Council offers a sensible way forward and has the advantage of being located near some very good road links. The Abergavenny Act as it currently stands requires that there is a livestock market somewhere within the yellow coloured area in the deposited plan which accompanied the 1854 Abergavenny Improvement Act. At the meeting of 3<sup>rd</sup> September, it was the overwhelming view of our members that NFU Cymru should oppose the repeal of the Abergavenny Improvement Acts (as this would remove the obligation currently in place on Monmouthshire County Council to provide a market





somewhere within the 'yellow coloured area' of the deposited plans), but that we would support the amendment of the act(s) so that the obligation on Monmouthshire County Council would be for them to provide a market somewhere within the county of Monmouthshire.

Whilst NFU Cymru sympathises with those who would like to uphold the tradition of Abergavenny as a market town and who fear that perhaps something might be 'lost' from Abergavenny were the livestock market to relocate from the centre of the town, we would nonetheless point to some of the practical and logistical difficulties which are associated with holding a busy livestock market in Abergavenny even if it were feasible to upgrade the existing facilities. With Monmouth and Newport livestock markets now closed an increased demand has been placed upon the existing Abergavenny market site. Problems have now started to become apparent with existing fixtures and fittings at the market, and the shortage of parking and manoeuvring space for today's large lorries is leading to increasing congestion at and around the market. We believe that a new livestock market which can provide up to date facilities as well as adequate parking and access for large articulated lorries is now overdue.

The Keep Abergavenny Livestock Market proposal for the re-development of the existing site would give rise to logistical problems in terms of undertaking building work whilst the site still functions as a busy livestock market, in addition to this, the re-development of the existing site would have to be financed by farmers, hauliers, auctioneers etc who would never actually get to own the freehold of the site.

We would also add that the true motivation of some of those who have come out in support preserving Abergavenny livestock market may have little to do with upholding the history and tradition of Abergavenny as a livestock trading centre, but rather may have more to do with a desire to thwart and frustrate the development proposals of Monmouthshire County Council. The market plays an essential part in the livelihood of very many farmers in the surrounding area and further afield and it is very important that the views of *bona fide* local farmers are taken in to consideration and not just the views of vocal lobby groups. We would however support KALM's view that Abergavenny could potentially have a similar facility to the one which was developed in Skipton.

We would also challenge the assertion which has been made by some that users of the market bring with them a wife or partner who may then subsequently spend money in the town centre shops, we would assert that this is not the case in the majority of instances.

Were the Abergavenny Acts to be repealed then NFU Cymru and its members would look to Monmouthshire County Council to provide a new site for a livestock market at a suitable location so as to give a seamless transfer, by which we mean that from the moment any decision is made to close the old Abergavenny site for re-development, work on the development of a new site gets underway immediately with the proviso that the old site remains in use as a livestock market until such a time as work is completed on the new site.

I hope that I have clearly set out the position of NFU Cymru's members, if you would like any further information then please do not hesitate before getting in touch with me.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Huw Thomas', written in a cursive style.

Huw Thomas  
Assembly Adviser  
NFU Cymru



**FARMERS' UNION OF WALES**  
**UNDEB AMAETHWYR CYMRU**  
G W E N T   B R A N C H   ·   C A N G E N   G W E N T

County Office/Swyddfa Sirol: Park Chambers, 10 Hereford Road, Abergavenny, Monmouthshire, NP7 5PR.  
Tel/Ffôn: (01873) 853 280. Fax/Ffax: (01873) 859 861. E-mail/E-bost: gwent-fuw@btinternet.com

Reference/Cyfeirnod:

GD/HT

Date/Dyddiad:

15<sup>th</sup> September 2009

Petitions Committee  
National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA

Your ref: P-03-205

Dear Sirs

**Re: Petition – Keep Abergavenny Livestock Market.**

Your letter dated 13<sup>th</sup> July 2009 addressed to Mr Nick Fenwick, Director of Agricultural Policy at our Head Office, has been passed to me for reply.

As I am sure you are aware the issue of the future of a livestock market in Monmouthshire has been under some question for a considerable number of years. The former market sites at Monmouth and Newport are now developed and obviously this has meant that the livestock from Monmouthshire and indeed from further afield has been concentrated into the Abergavenny Market site, with the traditional Abergavenny Market being held on a Tuesday and the Newport market now being held there on a Wednesday.

The fact that a market facility is now provided on two days a week at Abergavenny, makes it apparent that the existing facility is somewhat short of being ideal in terms of providing easy and convenient access for livestock vehicles and also in terms of requirements under the Animal Gathering Order acts. The facilities at the market have become outdated and in some cases obsolete and this can be understood in respect of the uncertainty which has been in place regarding the future of the market. It is unlikely that renovation of this site will be undertaken, if the term available for using the site is only for a short period, and with the possibility of moving to a new market still being in the balance. In addition the question of who provides the funding for up-dating facilities needs to be addressed.

Your letter of the 13<sup>th</sup> July asks for our views on the impact of the redevelopment of Abergavenny Livestock Market and the establishment of a new regional market at Raglan. The priority in considering this question is that it is imperative that a market facility is available to our members from throughout the County of Gwent whether this being at the existing site or on a new market site outside of the town.

We recently conducted a survey of our members which asked the question whether  
1) they wanted the market to remain where it was in Abergavenny 2) to relocate to

new premises or 3) did not mind either of the above options as long as a market was available within the County. Unfortunately the response to our questionnaire was somewhat disappointing with only 36 members replying out of 290, of these 53% indicated that they wished the market stay in its present location, whilst the remainder were split equally between the other two options. However, having discussed this matter with very many more of our members, I would again emphasise the priority is that there is an up to date and efficient livestock market available for their use within the County. The County of Gwent is renowned for the production of prime stock whether it be for breeding or meat production and our members feel, that it is disappointing that after so many years debate, over this issue there is still no clear way forward.

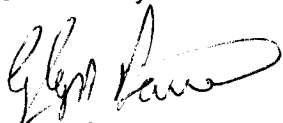
One very important point is that if the existing market site is developed and a new market at Raglan opened, the transition from one to the other must be immediate that is one week Abergavenny must close and the next week Raglan must be up and running. Any break in trading would have a very serious and possibly irrevocable impact on the marketing of stock from the County, as farmers would obviously have to find an alternative location for selling their stock and this may therefore lead to a new market not being fully utilised.

We are therefore of the opinion that if Monmouthshire County Council are unable to proceed with their plans for a new market site then the Abergavenny Improvements Acts of 1854 – 1871 should not be repealed and all efforts are made to bring the existing facilities up to date. However if Monmouthshire County Council are successful in providing a new market site then we would urge that the existing Improvement Acts of 1854-1871 are amended to cover the new market site.

This would give the current and indeed future generations of farmers throughout the County the security which they need by maintaining a livestock market to sell the outstanding quality stock which this area can produce.

We trust the above is suitable for your purposes but if we can be of any further assistance in this matter, please do not hesitate to contact us.

Yours sincerely



Glyn Davies

**COUNTY EXECUTIVE OFFICER**

# Response from Abergavenny Livestock Auctioneers Ltd.

29th September 2009

Ms Sandy Mewies  
Petitions Committee  
National Assembly For Wales  
Cardiff Bay  
CF99 1NA

Dear Ms Mewies

**Re: Petition – Keep Abergavenny Livestock Market**

Thank you for your letter of 13 July 2009 and for the opportunity for us to put forward our views on the petition and the proposed redevelopment of the Abergavenny Livestock Market site.

As such I attach a resume of our views and would be pleased to have the opportunity of meeting you or your committee if appropriate to answer any questions or clarify any issues for you. We look forward to hearing from you in due course.

Yours sincerely

A Keith Spencer MRICS FAAV

## ABERGAVENNY MARKET AUCTIONEERS LTD

### Views Concerning The Proposed Redevelopment of Abergavenny Cattle Market

Over the last 12 years debate has taken place over the future of the livestock markets in Monmouthshire i.e. Abergavenny and Monmouth and, although not nowadays in Monmouthshire, Newport. All three were old town centre markets in need of substantial upgrading and occupying strategically located sites, each of which was being used only 1 or 2 days a week sometimes for only a few hours.

The potential to put these sites to better use was and is obvious as is the need for a modern livestock marketing facility. The auctioneers at all the markets supported Monmouthshire County Council in their proposals to build a single centrally located livestock market and to redevelop the sites in Abergavenny and Monmouth. Newport market although frequented by many Monmouthshire farmers was not under the control of Monmouthshire County Council and was owned by a privately owned property company.

Over the years first Monmouth and more recently Newport Markets have closed as their leases have expired and the sites redeveloped. On each occasion the auctioneers from Monmouth and Newport have joined with AMAL and moved their sales to Abergavenny on the understanding that this would be a temporary arrangement until a new market was built in the centre of the County.

Unfortunately Monmouthshire County Council's best efforts to provide a market have been frustrated, despite having granted planning consent on 3 different sites. The latest site at Bryngwyn is still being threatened by the prospect of a Judicial Review from opponents despite having been passed with no votes against and the support of all political parties on the planning committee.

This application is being opposed by some and demonised on the basis that Monmouthshire County Council should not be providing a "regional market". We believe that it will be a long overdue County Market to replace Abergavenny and Monmouth and those that once existed in Usk and Chepstow whose supporters from the south of the County then had to use Newport.

All the livestock from Monmouth and Newport markets is now squeezing in to Abergavenny and on busy days there is insufficient space to accommodate all the livestock vehicles.

The strain is beginning to tell as the old and in some cases obsolete fixtures and fittings are inadequate and beginning to fail and the acute shortage of parking and manoeuvring space especially for today's large lorries causes more and more congestion in and around the market and forces more Land Rovers and trailers out into the car parks. This will only increase when we come to the busiest period of the year in the Autumn.

The need for a new livestock market able to provide up to date facilities meeting present day welfare and safety standards and with adequate parking and ease of access for large articulated lorries is evident and urgent. The current overcrowded facility where livestock, people and vehicles are all intermingled is both inconvenient and potentially dangerous.

It is for these reasons that we have not supported KALM's campaign to keep the livestock market in town. Whilst sympathising with those who value the tradition and feel the town might lose something if the market were to move out of Abergavenny we cannot allow this romantic and somewhat historic vision to cloud the harsh realities of running a livestock market business and providing the highest welfare standards and best service for the market users in the 21<sup>st</sup> Century. Even if it was possible from both a practical and financial perspective to upgrade the present facility, it would not solve the problem of accommodating all the market traffic and indeed by making the market more attractive would only exacerbate the problem.

It is less easy for us to sympathise however with those whose only real motive for keeping the market in town is to thwart the development proposals of Monmouthshire County Council. Whilst everyone is entitled to express their opinion they should not seek to use the livestock market on which many farmers rely for their living as a pawn in pursuit of their own campaign interests. It was revealing to note how few of those on KALM's protest march were actually market users.

KALM have made much of the support which they claim to have for their position both from the community at large and from farmers. Whilst it is undoubtedly true that they have obtained many signatures on their petition we believe that the majority of

the signatories were not aware of all of the issues surrounding the redevelopment of the cattle market site and not unnaturally the KALM supporters who were canvassing their signature were very selective in the information which they provided to people whilst collecting signatures.

We know that many of the farmers who signed the petition did so in the belief that they were being asked to show their support for a livestock market in Abergavenny which was being threatened by the proposed development and did not understand that the repeal of the Abergavenny Improvement Acts was a prerequisite of Monmouthshire County Council being able to develop and fund a new livestock market.

So far as the wider community is concerned many of these signatures were gathered in Abergavenny town centre where shoppers, visitors and passers by were stopped and informed of the "threat to the local shops and businesses in the town centre" that would be occasioned by the advent of an Asda supermarket being built on the cattle market site. Asda in particular was painted as the villain of the piece which had to be stopped at all costs and opposing the repeal of the old Acts was put forward as the best means of achieving this. Again understandably many people signed the petition as an anti Asda protest and it was not explained that in reality the choice was likely to be between a supermarket in town (on the cattle market site) or a supermarket out of town, if no town centre site could be found to meet the unquestioned demand. We now know that Asda have withdrawn their interest in the site and it may well be that an alternative food store operator might be better received. In addition there is a new threat of an out of town store at Llanfoist and as a result the level of opposition to the proposed development could well wane.

We have no doubt that some of the leading members of KALM have the best interests of Abergavenny and the livestock market at heart and have some excellent suggestions as to the way in which a livestock market could be developed and run. Many of these we would agree with and would welcome the opportunity of pursuing, however they all require space and we do not see how they can be accommodated on the present market site which is too small to accommodate even the present purely livestock market use now that throughput has increased following the closure of Monmouth and Newport markets.



KALM have put forward Skipton market as a model that could be copied in Abergavenny, however it should be noted that Skipton moved from its town centre site to a much larger out of town location and occupies a site several times the size of the Abergavenny market site. The livestock building alone would cover most of the area available in Abergavenny and would be a monstrous construction in the heart of our town.

For all of these reasons we believe that the best interests of both the farming community and the town of Abergavenny would be served by the market moving to a new out of town site to permit a sensitive development of the existing cattle market site.

We believe that the decision as to whether the Acts should be repealed or amended should be based on the reasons why they were enacted in the first place and whether those reasons still hold good, rather than whether the Acts can be used to stymie any proposed alternative development, which should be dealt with on its merits through the normal planning process. We understand that the purpose of the Acts was to ensure an orderly and appropriate market place was made available for the trading of livestock. There is undoubtedly still a demand for such a facility in the County as the present level of use of the market in Abergavenny can testify. The present site is however no longer appropriate for the reasons set out above and we submit that there is a very good case for the market to move to a more appropriate and larger site in a suitable location able to meet present day standards and the needs of the agricultural industry. It would be ironic if KALM's campaign succeeded in keeping the market in the centre of Abergavenny only for it to decline for lack of investment and an inability to compete with more modern markets at Brecon, Ross-on-Wye or Hereford.

However let no-one be under any misapprehension as to our determination to maintain a livestock market in Monmouthshire. If Monmouthshire County Council are unable or unwilling to provide a new market we will fight tooth and nail to retain the only facility we have despite all its shortcomings. Our support for the repeal of the Abergavenny Improvement Acts is therefore conditional upon Monmouthshire County Council having provided a new livestock market and we do not believe that the existing facility should be closed until a satisfactory alternative is ready for use.

We would ask therefore that, if possible the Acts be amended to require Monmouthshire County Council to provide a livestock market within the County and to make closure of the existing market conditional upon a new market being available for use.

We understand that a similar requirement has been imposed on the Local Authority as a condition of the repeal of the Acts governing Hereford Market.

Keith Spencer  
Abergavenny Market Auctioneers Ltd

## Keep Abergavenny Livestock Market

### Additional information for the NAW Petitions Committee

The Petitions Committee will, either presently or in due course, be considering replies from the National Farmers Union (NFU) and the Farmers Union of Wales (FUW) about the KALM petition calling for the non-repeal of the Abergavenny Acts.

The leadership of these organisations have made it clear in the past that they support the County Council plan to sell Abergavenny market in order to fund a new livestock market at Bryngwyn, near Raglan. However, the KALM group have long known that the leadership of these unions do not reflect the views of the majority of upland farmers in Abergavenny and district, though they may claim to do so.

The NFU will no doubt cite their recent meeting held in Alice Springs golf club at Chainbridge, in which the great majority of those present voted for the new market at Bryngwyn. KALM members who were present report that the meeting was carefully managed to obtain this result for these reasons:

- the meeting was poorly advertised in the North of the county with the result that many Abergavenny and district farmers were unaware it was happening. For example, it was not advertised in the local Abergavenny newspaper.
- the alternatives were presented to the meeting in a very loaded way with attendees being explicitly told that under the KALM plan they, the farmers, would have to pay for the refurbished market in Abergavenny. KALM have never said this, and it is a gross misrepresentation of our plan. Farmers were being asked to vote for a free market, or one which they would have to pay for. That is not a fair way to present the KALM plan.

KALM now have irrefutable evidence to support our claim that the NFU and FUW leadership do not speak for Abergavenny and district farmers, whether those farmers are members of these unions or not. The evidence comes from a series of 4 meetings which KALM have arranged in village halls around the Abergavenny district to make it easier for upland farmers to make their views known. The meetings included a ballot form (attached) on which farmers and other market users could express a preference for either retaining the Abergavenny market or having a new market at Bryngwyn. Voting forms have also been posted, or otherwise distributed, to local district farmers who said they would be unable to make the meetings. Some meeting attendees took voting forms away to complete at their leisure and/or to give to farmer friends unable to attend.

It was made clear to attendees that only farmers and other market users such as hauliers or auctioneers were eligible to vote. This rule excludes members of the public from voting as well as all members of the KALM working group and their families.

In order for the Petitions Committee to have some information for its next meeting on 20th October we can give the interim results of the voting, after two meetings:

#### Votes captured at the actual meetings in Pandy and Llanfoist village halls:

In favour of keeping the market in Abergavenny: 39  
In favour of a new market at Bryngwyn 5

#### Votes received by post or hand delivery as at 11th October 2009:

Campaign update from KALM # 2

In favour of keeping the market in Abergavenny: 26  
In favour of a new market at Bryngwyn 1

**Total interim vote count as at 11th October 2009:**

**In favour of keeping the market in Abergavenny: 65**  
**In favour of a new market at Bryngwyn 6**  
**No clear preference expressed 1**

This is only part-way through the consultation process yet it has already captured a significant proportion of Abergavenny and district farmers and is therefore a statistically significant result.

Openness. The voting forms provide for the voter's name and address. This would enable independent verification of the legitimacy of the vote should it ever be called into question. This open and verifiable process contrasts with the vote at the NFU Alice Springs meeting which was obtained by a simple show of hands, precluding any possibility of a re-count or independent scrutiny.

KALM have already checked the forms received to ensure there are no duplicate votes and that, as far as we can tell, all voters comply with the eligibility rules.

The Committee will be advised of the final result after all 4 meetings have been held and all postal votes are in. We currently have no reason to think that the broad message will change.

KALM would like to advise the Committee that our opponents have made a concerted attempt to destabilise farmer opinion in two principal ways:

- by asserting at regular intervals that Abergavenny livestock market could be shut permanently at any time by DEFRA or by the Health and Safety Executive on animal welfare grounds or H&S grounds or biosecurity grounds.
- by repeating the false assertion that the KALM plan would have to be financed entirely by farmers. The question of finance is obviously important and a perfectly valid issue to raise, but it is being done in a "scare tactics" way to frighten farmers.

We know from our conversations with farmers that these scare tactics have influenced a few. But in spite of these destabilisation tactics by our opponents, the voting speaks for itself.

The NFU and FUW leadership clearly does not represent the wishes of the farming community for whom the Abergavenny livestock market was built and which it has served for hundreds of years and which the Abergavenny Acts were designed to safeguard. To remove that safeguard would in our view be a betrayal of the community who clearly wish it to remain.

Jenny Long  
Barry Greenwood  
on behalf of the KALM working group

11th October 2000

# Abergavenny livestock market poll

## For all eligible\* farmers and users of the market

The National Assembly for Wales Petitions Committee have requested the views of farmers on a Petition submitted by the Keep Abergavenny Livestock Market group. (KALM) The Petition calls for the retention of the Acts which protect the livestock market in the town for the benefit of local farmers.

\* **Eligibility.** You are eligible to vote if you are a farmer and/or a user of Abergavenny livestock market.

Your name, address and signature must be filled in below for your vote to count.

**A YES vote supports the above petition**

**A NO vote opposes the petition**

**YES**

Put a **X** in the box  
to record your vote

**NO**

A **YES** vote is for keeping  
the livestock market on its  
present site in town

A **NO** vote is for a new  
livestock market at  
Bryngwyn near Raglan

Print Name: .....

Print Address: .....

.....

..... Post code: .....

**I am a farmer and/or a user of Abergavenny livestock market.**

**Signed:** .....

This opportunity to vote has been arranged by KALM, whose aim is to keep Abergavenny livestock market and to restore it to a modern facility, possibly in stages over a number of years, using grants and voluntary private investment. A stage-by-stage modernisation would ensure the uninterrupted use which farmers require.

A NO vote indicates that you favour the County Council plan for a new livestock market provided at public expense at Bryngwyn in open countryside with no shops, services and amenities.

KALM undertake to deliver all eligible votes to the NAW Petitions Committee.



Llywodraeth Cynulliad Cymru  
Welsh Assembly Government

Eich cyf/Your ref P-03-205  
Ein cyf/Our ref BG/05701/09

Val Lloyd AM  
National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA

6 November 2009

*Dear Val*

Thank you for your letter dated 28<sup>th</sup> October sent on behalf of the National Assembly for Wales' Petitions Committee on the petition to keep Abergavenny Livestock Market.

The Petitions Committee has asked whether I have considered the position of amending, rather than repealing, the Abergavenny Improvement Acts. Section 58(2) of the Local Government (Wales) Act 1994 provides for a number of options, including:

*(a) that the [Welsh Ministers] may by order extend the relevant provision throughout the new principal area ...;*

and

*(d) repeal or revoke any local statutory provision to which this section applies and which appears to the Minister to have become spent, obsolete or unnecessary or to have been substantially superseded by any enactment or instrument which applies or may be applied to the area, persons or things to which or to whom the relevant provision applies.*

The order making power has been transferred to the Welsh Ministers. Such an order would be made under the National Assembly for Wales 'negative resolution' procedure.

Thus, in theory it would be possible to make an order under section 58(2)(a) to amend the Improvement Acts by extending them to the whole of Monmouthshire. However I wish to make it clear that I have yet to undertake any detailed consideration of the matter as I have yet to receive any formal request to do so.

Yours sincerely

**Brian Gibbons AM**

# Keep Abergavenny Livestock Market



**SUPPORT LOCAL FARMERS**



**SUPPORT YOUR MARKET TOWN**

Barry Greenwood  
3 Cefn Pendegar,  
Old Monmouth Road,  
Abergavenny,  
Mon. NP7 8BU  
7th December 2009

Val Lloyd,  
Chair, Petitions Committee,  
National Assembly for Wales,  
Cardiff Bay. CF99 1NA.

Your ref: P-03-205

Dear Ms Lloyd,

Thank you for your letter of 1st December, which I was expecting, following the PC meeting on 24th November. This reply has been drafted with the full involvement of the KALM working group and reflects the consensus views of the group.

We welcome your confirmation of the reassurances we have already received from PC Officers that our petition is being "considered in full" by the PC. Our dissatisfaction with the PC process so far centres on the absence of any substantive discussion or debate among PC members at the PC meetings about the facts and arguments that we and other organisations have presented to you, coupled with assurances we have received that there has been no discussion outside the actual PC meetings either. We do not understand in what sense our petition can be said to have been "considered in full" when there has been no discussion and no debate about its substance.

We welcome your advice that all of our submissions will be sent to the Minister for Social Justice and Local Government, but is this not something we could have done anyway - just sent everything to the Minister? We do not understand what value has been added to the process by merely passing the material through the PC first.

A previous communication from a PC Officer advised that the PC would request the Minister to ensure that there was a full consultation in the event that there was any application to repeal or amend the Abergavenny Acts. This puzzled us as the Minister has already promised in writing to do that.

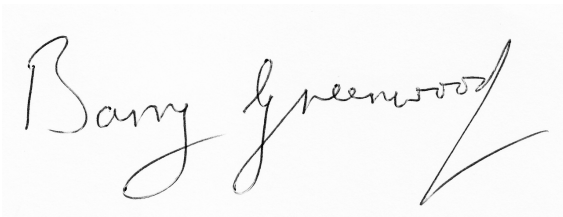
We note your advice that the PC will not be pursuing our petition further because "an application has not yet been made to the Minister to repeal the Abergavenny Improvement Acts." Again we are puzzled because that was true when we first submitted our petition and has been true all along.

We are also puzzled as to why this should delay the PC from further action because Monmouthshire County Council (MCC) have advertised the site for sale, have received expressions of interest as reported in the S. W. Argus, have sent out information to the potential purchasers and are expecting firm bids to be received in January 2010. MCC will then choose the winning purchaser according to Best Value rules. We know that no purchaser can do anything with the site until the Abergavenny Acts have been repealed or amended, so a request from MCC to amend the Acts is a certainty in the near future. Wouldn't it be prudent for the Minister to be formulating his view now? There are many issues to be considered and it seems to us that the Minister could be considering them in the breathing space until the formal request is received from MCC. A report and recommendation from the PC would be one of the inputs which the Minister could be considering.

You will appreciate that much of our disquiet is due to a failure to understand the purpose of the PC. We had expected that, once all the replies to requests had been received, the PC would discuss the various evidence and arguments and come to a view as to the merits or otherwise of the petition. That is clearly not what the PC is doing, which leaves us struggling to understand what is the value being added by the PC to the petition?

We look forward to receiving any clarification you can offer us, possibly by way of one of the PC Officers. They have previously attempted to explain the process but unfortunately have not so far addressed the nub of our concerns and we hope we have now put these concerns in a way which will facilitate that.

Yours sincerely,

A handwritten signature in black ink that reads "Barry Greenwood". The signature is written in a cursive style with a large initial 'B' and a long, sweeping tail.

Barry Greenwood

*for and on behalf of the KALM working group*



**Carl Sargeant AC/AM**

Y Gweinidog dros Gyfiawnder Cymdeithasol a Llywodraeth  
Leol  
Minister for Social Justice and Local Government



Llywodraeth Cynulliad Cymru  
Welsh Assembly Government

Eich cyf/Your ref: P-03-205  
Ein cyf/Our ref: MB/CS/0106/11

Christine Chapman AM  
Chair Petitions' Committee  
National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF991NA

7 March 2011

**P-03-205 KEEP ABERGAVENNY LIVESTOCK MARKET**

As you know the duty on Monmouthshire County Council to preserve a livestock market within the boundaries of that town was established by the Abergavenny Improvement Acts 1854 to 1871. This duty to hold a livestock market within a specified area is unique to Monmouthshire and does not apply within any other Welsh local authority.

I have made it known that I have no view as to whether there should be a livestock market in Abergavenny. Whether or not there is a livestock market in Abergavenny, or anywhere else in the area covered by Monmouthshire County Council, is properly a matter for that Council. Monmouthshire County Council has made it clear that it is the will of the Council to redevelop this area within Abergavenny and to establish an alternative livestock market on a new site.

There is no formal application process for local authorities to follow to request the repeal of Acts of Parliament, but I have discussed this issue with Councillor Fox, leader of Monmouthshire Council. I subsequently wrote to him to inform him that I would consider repealing the Acts but only following a consultation with key stakeholders. That consultation would only concern the repeal of the Acts and not the redevelopment of the site which is not a matter for me. That consultation is yet to take place.

Yours sincerely

**Carl Sargeant AM/AC**

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

*Wedi'i argraffu ar bapur wedi'i ailgylchu (100%)*

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CYNGOR  
monmouthshire  
COUNTY COUNCIL  
*sir fynwy*

National Assembly for Wales,  
Petitions Committee,  
Cardiff Bay,  
Cardiff  
CF99 1NA.

Your Ref/Eich Cyf: P-03-205  
Our Ref/Ein Cyf: SKFG  
Date/Dyddiad: 3<sup>rd</sup> May 2011  
The Person dealing with this matter is/  
Y Person sy'n delio gyda'r mater yma yw:  
Mr. Steve Greenslade  
Tel/Ffôn: 01633 644266  
Fax/Ffacs: 01633 644260  
e-mail address/ cyfeiriad e-bost  
stevegreenslade@monmouthshire.gov.uk

Dear Sirs,

**Re: Abergavenny Livestock Market**

Thank you for your letter dated 18<sup>th</sup> March enquiring on progress with the application for repeal of the Abergavenny Improvement Acts.

I can advise that in consultation with officers of the Assembly, it was agreed some time ago that an appropriate "trigger" to request repeal would be the granting of planning consent to redevelop the current livestock market area. As you will be aware the Council has both land and a valid planning consent, with site works having commenced, for the relocation of the market to a new facility near Raglan.

Planning applications for the redevelopment of the Abergavenny site have now been submitted by Morrisons (for a superstore) and the Council (for a new Library). The expectation is for these to be considered by the Local Planning Authority towards the end of May.

Obviously there has been extensive discretionary and statutory consultation on the proposals. In terms of the repeal itself, the Minister for Social Justice and Local Government has previously advised his intention for his officers to manage the necessary consultation with key stakeholders and users.

Please do not hesitate to contact me if I can be of any further assistance

Yours sincerely

**STEVE GREENSLADE**  
Director of Transition

S.K.F. Greenslade, J.P., C.P.F.A., I.R.R.V.  
Corporate Director – Regeneration, Environment & Resources/  
Cyfarwyddwy Corfforedig, Cyfarwyddiaeth Adfywio, Yr Amgylchedd ac Adnoddau  
Monmouthshire County Council, County Hall, Cwmbran, NP44 2XH. Cyngor Sir Fynwy, Neuadd y Sir, Cwmbran, NP44 2XH  
Tel/Ffôn: 01633 644644 Fax/Ffacs: 01633 644666 - [www.monmouthshire.gov.uk](http://www.monmouthshire.gov.uk)

*Working with the citizens of Monmouthshire/Cweithio gyda dinasyddion sir Fynwy*

Correspondence from the public is welcome in Welsh or English/*Croesewir gobebiaeth gan y cyhoedd yn Gymraeg neu Saesneg*





### **a) KALM Survey I**

In April 2009 301 farmers (all Abergavenny Market Users) signed a KALM petition to retain the Abergavenny Acts which secure the present livestock market site. This evidence of actual farmer names and addresses was presented on 13th May 2009 to Mike German, then S.E. Wales Regional AM, who received them on behalf of our Monmouthshire constituency AM Nick Ramsay, who was unable to see us on the morning. You will already be aware of this and the petition documents are already with you.

### **b) KALM Survey II**

Following a series of four farmer discussion meetings hosted by KALM in the rural areas surrounding Abergavenny in October 2009, the voting was 203 to 16 to keep the Abergavenny Livestock Market - that's 92.7% of actual farmers in support of retention of the current market. These figures comprise those farmers who attended the meetings plus those unable to attend the meetings but who wished to participate in the vote. The voting forms have the names and addresses of the farmer - real, verifiable evidence in the possession of KALM.

These results are publicly available on the KALM website: [www.keepkalm.co.uk](http://www.keepkalm.co.uk) and are attached separately as Appendix A

### **c) MCC's lack of credible evidence**

MCC, as owners of the Abergavenny Livestock Market site, have failed to conduct any surveys or publish any evidence to back their claim that farmers who use Abergavenny livestock market support its sale. These claims of farmer support for the proposed new market at Bryngwyn appear to be based on two claims:

(i) discussions with leaders of the two farming unions, i.e. discussions with approximately two people.

(ii) the vote at a meeting organised by the NFU at Alice Springs golf club in 2009 where a verbal motion was put asking if those present wanted a market which they would have to pay for or a market which MCC would pay for. The show-of-hands vote indicated about 100 in favour of the MCC-funded market and about 5 not in favour. A predictable outcome to a very biased motion. The meeting was poorly advertised in the Abergavenny area and an Abergavenny farmer and long-time market user who was present, and who knows most of the local market users, said he recognised hardly anybody there. It was clear that most of those present were from the South of Monmouthshire and not regular Abergavenny market users, The voting was anonymous, and non-verifiable.

This contrasts with KALM's verifiable recorded voting described in paras a) and b) above. It was clear in the KALM meetings (para b above) that farming union representatives did not represent the opinions of the great majority of local market users and the recorded voting speaks for itself - 92.7% in favour of retaining the present market.

### **d) MCC's admission of no written consultation**

In response to a Freedom of Information Request submitted by lawyers acting for KALM in December 2010, MCC replied on 9th February 2011 as follows to one of the requests:

“Consultation Documents (farming community) - informal meetings and conversations took place, but there was no formal written consultation or response, so the Council holds no such documentation.”

This admission by MCC proves beyond doubt that local market users have NOT been properly consulted by MCC, and KALM’s evidence in a) and b) above proves that the local market users’ wishes are overwhelmingly against closing the market.

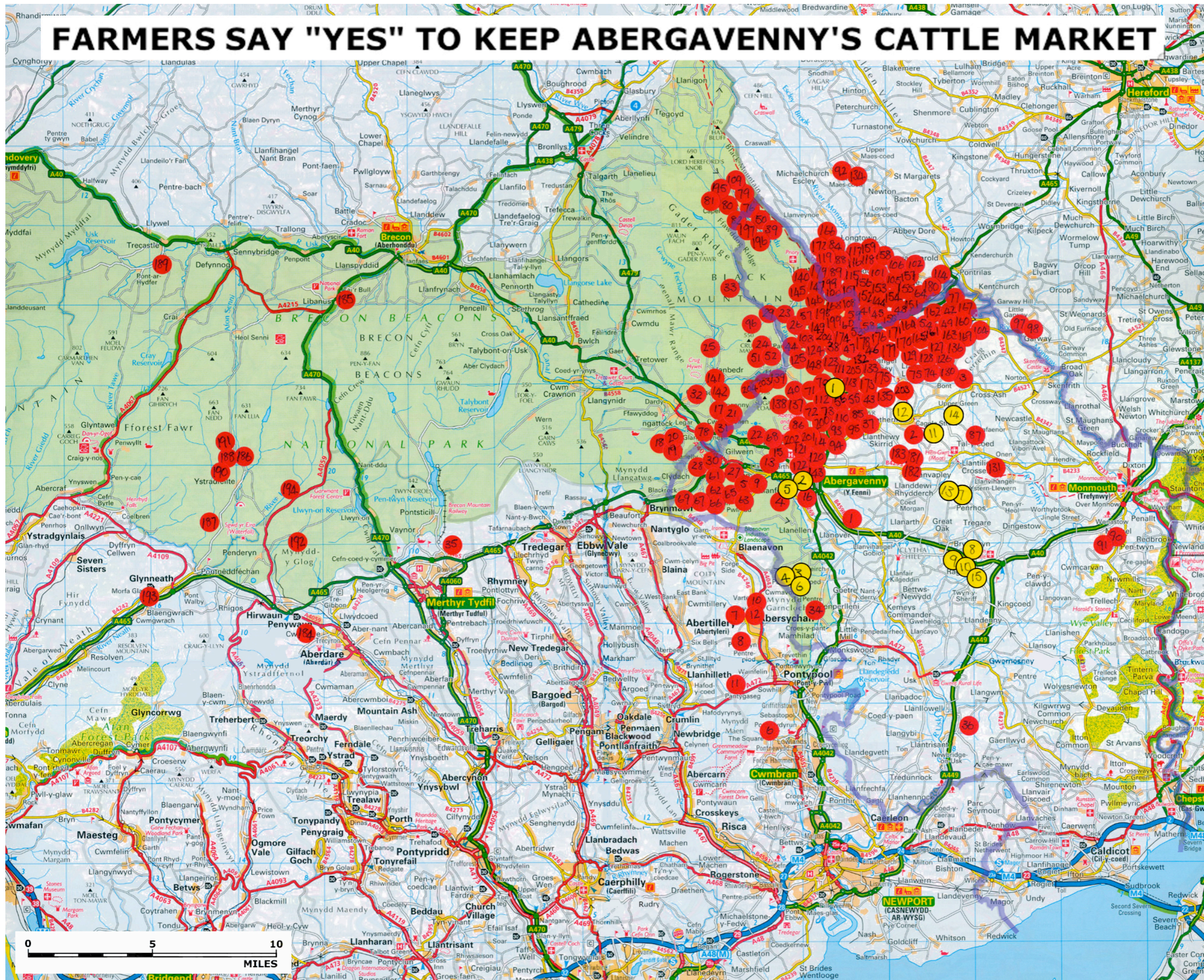
**MCC claims of “extensive consultation” with the farming community would appear to be false, casting doubt on Mr. Greenslade’s statement quoted above and on the processes which underpin it.**

**We request that this information and evidence be placed before the Minister at the appropriate time.**

Jenny Long  
*On behalf of KALM*

Barry Greenwood  
*On behalf of KALM*

# FARMERS SAY "YES" TO KEEP ABERGAVENNY'S CATTLE MARKET



- VOTES TO RETAIN ABERGAVENNY LIVESTOCK MARKET
- VOTES IN FAVOUR OF NEW MARKET AT BRYNGWYN

**Summary results by area:**

YES votes	
Powys	12
Herefordshire	41
Torfaen	6
Cardiff area	10
----	
Total outside Mon.	69
-----	
Monmouthshire	134
-----	
Grand total YES	203
NO votes	
Outside Mon.	0
Monmouthshire	16

These results are based on the opinions of farmers who recently attended 4 meetings organised by KALM.

For more details contact:  
Jenny Long on 01981 240711 or  
Barry Greenwood on 01873 852245

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