

## Shirebrook Town Markets

### Rules and Regulations

**VERSION: 1 ISSUE: 1**  
**REVISION: JUNE 2016**



## **IMPORTANT**

These Rules and Regulations apply to all Traders on Shirebrook Town Council's Markets, (STC) whether trading as a Regular Trader or a Casual Trader

These Rules and Regulations have been written to ensure that STC Markets operate in a safe, efficient and fair manner and that they provide a pleasant environment for both traders and customers alike.

The Rules and Regulations will be updated from time to time in order to reflect improvements in operation and/or changes in legislative requirements.

## **GLOSSARY OF TERMS**

**Vehicle** - *the term Vehicle includes any mechanically propelled vehicle (other than an invalid chair) and any cycle, tricycle, wheelbarrow, cart, handcart, truck, wagon or trailer.*

**Market Stall / Stall** – *the term Market Stall / Stall, includes any pre-erected structure within the Market Place or trestles supplied by the Council.*

**Casual Trader** - *Casual Trader defines a trader operating as 'an and when' trader, not pre-booking a stall.*

**Regular Trader** - *Regular Traders are those that have signed a current Regular Trader Application Form for the appropriate Shirebrook Town Council Market.*

**The Council** – *Is Shirebrook Town Council.*

## GENERAL

1. The Trader is to comply with any instructions (verbal and/or written) issued by the Council (or its duly authorised officers) in connection with the use or operation of the Markets.
2. Traders are to notify the Council of changes to their home address and are to provide these details upon request.
3. Traders are to comply with all fire regulations and directions as specified by the Council, or the local fire authority or required by statute.
4. Traders are to observe and comply with all regulations and all requirements of the Health and Safety at Work etc. Act 1974 and any other regulations relating to employees of the Trader so far as they relate to the Market Stall and the business of the Trader carried out on it.

## MARKET HOURS

5. Trading hours for Shirebrook Town Markets are as follows:

General Retail Market and Car Boots:-

Tuesday, Wednesday and Saturday: 8.00am until 1:30pm.

General Retail Market Only Friday 8.00am until 1:30pm.

Staff will erect stalls from 5.30am on Market days

Non Market Days – Mondays & Thursdays (Payments will be collected each day by Shirebrook Town Council staff and receipt will be given and may be checked during the day)

6. Stalls/Trestles/Pitches on Shirebrook Town Markets should be occupied by no later than 8.00am on any market day, or the right to occupy the stall is forfeit unless notification of late arrival has been made to the Council by 8.00am on the day of the market.

7. The Council reserves the right to re-let a stall/space if the trader does not occupy it by 8.00am. Regular traders who are unavoidably delayed while en-route to the Market, must advise the Market Supervisor by telephone (TEL: 07423458872) to ensure that their regular stall is held over pending arrival and is not allocated for free spread or to a Casual Trader.
8. If a Regular Trader fails to occupy their stall / stalls or trestle/ trestles on a normal trading day, they will still be subject to the full stall rent. This is irrespective of any subsequent letting of the stall by the Council on a casual basis.
9. Casual Traders are to present themselves to the Market Supervisor before 8.00am. If for whatever reason you are unable to trade you must call the Market Supervisor before 7.30am on the day you trade or this will incur the cost of your pitch/stall in full. The Casual Traders may then be allocated a stall / pitch if available. Casual Traders must not set up before being allocated a stall / pitch by the Market Supervisor. The Council reserves the right to refuse a stall to a Casual Trader.
10. Traders must remain trading at their stalls until 1.30pm, unless the Market Supervisor advises otherwise.
11. In cases of severe weather, the Council reserves the right to close the Market for reasons of public safety, by declaring an abandoned market.

## **SICKNESS**

12. If a trader is taken ill during a market day, with the permission of the Market Supervisor, the trader may pack up and leave the market. This is providing that stock is carried off in a safe manner that does not pose a risk to, or cause inconvenience to other traders, or the general public.

## **ACCESS TO MARKETS**

- 13.** Vehicles are prohibited from being on the Market Place/Public Realm between the hours of 9.00am to 2.00pm during Shirebrook Town Council Market days
- 14.** All traders who wish to have their vehicles with their stalls/trestle must be on site no later than 8am must NOT move their vehicle until 1.30pm on each market day unless the Market Supervisor is notified.
- 15.** Moving vehicles shall not exceed 4 miles per hour whilst on the Market and all reversing movements must be supervised by a Banksman. In addition the use of reversing alarms is preferred. All vehicles on leaving the market must use only the approved entrances /exits.

## **MARKET STALLS – Including Spreading, Alterations & Additions**

- 16.** With the prior permission of the Market Supervisor, spreading by Regular Traders onto **one** unoccupied adjacent stall will be permitted after 8.00am. If traders abuse this privilege by utilising additional empty stalls, the privilege will be withdrawn from them. Regulars who set up on unoccupied stalls **before** 8.00am will be charged the full day rate. The Council reserves the right to place any late arrivals (Regular or Casuals) on any stall up to 8.00am.
- 17.** Casual Traders are **not allowed to spread** onto unoccupied stalls or adjacent ground under any circumstances.
- 18.** Alterations or an addition of any sort to the structure, or fittings of the stall, or to any surrounding structures, is forbidden without prior written permission from the Council.
- 19.** Traders must keep all of the pavements/walkways clear of all obstructions (constructions and stock).
- 20.** Stalls/Trestles must **not** be moved or disassembled by the Traders.
- 21.** Traders must not use any space heater without written approval from the Council.

22. The Trader is responsible for paying for any damage or defacement to the stall which may arise or occur through, or in connection with, the occupation and use of the stall (normal wear and tear excepted).
23. Shirebrook Town Council staff will erect stalls from 5.30am on Market day's weather permitting. In case of severe weather the Council reserves the right to close the market for reasons of public safety. The tarpaulins will NOT be put on ANY stalls in windy conditions and this will be at the discretion of the Market Supervisor.

### **SALE OF GOODS**

24. Adherence to the Trade Descriptions Act is simple.
  - a. Don't sell counterfeit goods;
  - b. Don't describe your goods incorrectly;
  - c. If you are selling seconds don't describe them as perfect;
  - d. If you are selling Egyptian new potatoes, don't describe them as English;If you do, you will eventually fall foul of the Trading Standards Offices and apart from the fine you will be facing your reputation will also be harmed.
25. The sale of any highly inflammable or potentially explosive materials or substances including butane and propane gas canisters, liquid paraffin or spirit, is strictly prohibited.
26. Traders must **not** display, offer or expose for sale any unwrapped foodstuffs intended for human consumption, without the prior written permission from the Council.
27. The sale of weapons, including but not limited to, guns, firearms, air rifles and knives is strictly prohibited.
28. The sale and consumption of drugs is strictly prohibited.
29. Sale or display of items that are directly or indirectly related to the use of, or in connection to, or that promotes or advertises drugs, are strictly prohibited.
30. Traders must comply with Section 53 of the Medicines Act 1968; i.e. they must not sell non-prescription medicines as, for example, Lemsip, Paracetamol etc.

31. Traders must refund or replace damaged or faulty goods at the time of complaint. In cases of disagreement, the Council will offer arbitration.
32. Traders must comply with the Food Hygiene (Markets Stalls and Delivery Vehicles) Regulations 1966 and the Fair Trading Act 1973.

## **REGISTRATION OF FOOD PRODUCERS**

33. All traders selling foodstuffs must be registered with their Local Authority as a producer. Unless registered, traders will not be permitted to operate on Shirebrook Town Markets. Trader's details will be passed to the Council's Environmental Health Officer who will make checks on the registration (or approval or licence as appropriate, as befits the volume or nature of food production). Traders must be prepared to produce on demand documentary evidence of such registration under the Food Hygiene Regulations e.g. copy of the registration application to a local authority or, copy of a site inspection letter from the Local Authority.

## **LITTER / WASTE**

34. Traders are responsible for keeping the Markets area free from litter and refuse throughout the market day. It is the responsibility of the Trader to keep both their allocated stall and the immediate surrounding areas and walkways, free from litter and refuse. Traders can request from the Market Supervisor a trade bin at a cost £5 per day.
35. All traders must take their rubbish home with them. Failure by traders to take away their rubbish can result in the loss of a permanent stall or pitch and a fee of £20 will be charged to cover the cost of removing and disposing of any rubbish left on their stall or pitch.
36. Any rubbish left on site will be dealt with as fly tipping and may be subject to further investigation and possible prosecution.



## **INSURANCE / INDEMNITIES**

- 37.** All traders (Regular and Casual) are required to hold a current Public, Products and Employees Liability Insurance Policy, with a reputable Insurance Company, comprising:

**Public Liability:** affording legal liability to third parties for personal injury or damage to property, a £5,000,000 limit of indemnity for any one occurrence – unlimited in the policy period.

**Products Liability:** covering legal liability arising from the sale or supply of products, including food and drink. A £5,000,000 limit of indemnity for any one occurrence and in all any one period.

### **Traders without insurance will not be permitted to stand.**

- 38.** Traders must be able to produce the above policy or policies of insurance to the Council on demand.
- 39.** All traders are required to indemnify the Council from and against all claims, damages, loss, expenses, costs, demands, actions and proceedings of any nature whatsoever in respect of any explosion, fire, accident or injury to property, persons or things which may arise or occur through or in connection with his occupation or use of the stall other than then where the Council is negligent in the provision of the Market Stall or the erection / dismantling of the Outdoor Stall as appropriate.
- 40.** The Trader is responsible for the protection of their own goods and equipment from damage as a result of weather, fire, water, theft or any other cause while in the Market and to remove all goods and equipment from the stall and Market Place immediately at its closure.

## **PAYMENTS**

- 41.** Regular Traders pay their rent on a daily basis to the Market Supervisor and a receipt will be given.
- 42.** No Trader will be permitted to carry forward any unpaid, or partly paid debts from week to week, unless away from the Market, on holiday, or through sick leave.

## APPROVED PRICING 2015/2017

Market Days -	10ft pitch – including STC stall	£12.00
	Self-erect or no stall	£10.00
	Car Boot Pitch	£7.00
Non- Market days -	10ft pitch – including STC stall	POA
	Self-erect or no stall	£14.00
	Car Boot Pitch	£10.00

Deposit to retain a pitch £3.00 per stall (pitches must be claimed by 8am. Deposits are not refundable or transferable).

Tarpaulins are available to cover the stalls - Free of charge.

All Traders MUST telephone the Market Supervisor's mobile (07423458872) before 7.30am on the day you are due to trade if they are not going to attend that day. There will be a charge in full if the Market Supervisor is not informed.

## ANCILLARY CHARGES

- Pitches over 10ft - £1.00 per foot
- Clothing rails, tables or boxes in alleyways - £1.00 each per day
- Extension on end of stalls (over a foot) - £7.50 per day
- Electrical supply for freezer (not lighting) - £2.00 per day
- Large authorised vehicles/trailers - £25.00 per day
- Provision for waste bin - £5.00 per day

General – Shirebrook Town Council Registered Traders entitled to three rent free weeks for holiday purposes per financial year (1<sup>st</sup> April - 31<sup>st</sup> March) provided written notification is submitted one month before the intended absence

## **CONDUCT / BEHAVIOUR**

- 43.** Traders are expected to conduct themselves in a polite, business-like and professional manner at all times.
- 44.** The Council will not tolerate abusive, aggressive or threatening behaviour, rudeness, racism or sexism to customers, members of the general public, other traders or Council employees and their representatives. Any such behaviour will result in the trader being banned from trading on Shirebrook Town Council Markets.
- 45.** Market Traders are not to cause or permit any public or private nuisance in or upon the stall, nor do anything which shall cause annoyance or disturbance to the Council or its staff, or to other stallholders or to the general public.

## **SMOKING**

- 46.** Whilst Shirebrook Town Council Markets are outdoors, the Council would encourage Traders to refrain from smoking in the vicinity of the market area.

