

POLICY:	SPECIALIST MARKET REGULATIONS
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1. Description

Regulations for the operation of the Town Council’s specialist markets that take place on Thursdays and Sundays.

2. Purpose of this policy

To regulate the safe and fair operation of Specialist markets run by Ludlow Town Council. and ensure the health and safety and ease of trade of market traders, Council staff and members of the public on Ludlow market square.

3. Scope

To regulate all markets run by Ludlow Town Council held on non-regular market days.

4. Procedure

4.1 Market Days

Specialist Markets take place on various Thursdays and Sundays throughout the year. Each specialist market day is considered a 'one-off' market and is booked in advance.

The Town Clerk reserves the right to close the market, or any part thereof, before or during the market day if thought necessary through adverse weather or insufficient attendance. The Town Clerk reserves the right to offer a full or partial refund in such circumstances.

4.2 Trading Times

Specialist Markets are officially open to the public from 9am until 4pm and will be open for traders to set up from 8.00am. All traders must be completely set

up and have any vehicles used for loading/unloading removed from the market square by 9.30am at the latest.

Traders may bring vehicles onto the Market Square for unloading no earlier than 3.30pm and they must remain trading until 4pm where reasonably possible.

Traders are required to have finished loading and vacated the market square by 5.30pm. Ludlow Town Council reserves the right to remove any vehicle or mobile unit remaining on the square after this time.

4.3 Stall Allocation

The Market Manager is responsible for stall allocation and will allocate stalls to Traders in advance of each market. A Market Plan with trader's name printed on each stall will be made available in advance of each market.

Requests for specific stalls will be taken into consideration by the Market Manager. The Market Management reserves the right to allocate stalls at their discretion. Any disputes will be resolved by the Town Clerk (see item 13)

4.4 Casual Stalls Allocation

Casual Traders should arrive by 8.30 am. Stalls will be allocated after 8.30am taking into account the time of that days arrival and at the discretion of the Town Clerk.

4.5 Spreading Over

Traders may, with the Market Officer's permission, occasionally spread goods over to a neighbouring stall that is vacant. Casual Traders' stall allocations will be given precedence over existing Traders spreading over. Spreading over will be charged as an additional stall in line with the fee schedule for the market.

4.6 Standard Regulations

All Traders should keep fully aware of any current statutory legislation e.g. Health & Safety that may affect an open market, and should comply with such regulations at all times whilst trading on Ludlow Market.

4.7 Payment

All traders must have pre-paid for their market stall. If there are any vacant stalls on the market at 8.30am Casual traders may pay on the day.

4.8 Non Attendance

If a trader wishes to cancel a booking they must contact the Market Manager as soon as possible. Cancellations are non-refundable apart from in exceptional circumstance or if the stall(s) are able to be resold to a paying trader.

A record will be kept of all market traders who book onto specialist markets and fail to attend.

4.9 Public Liability Insurance

Traders must provide proof of holding current Public Liability Insurance before they will be permitted to trade from a stall or pitch. Proof of insurance should be produced on demand to a market official. Traders shall indemnify the council against all costs, claims and convictions arising as a result of their occupation and use of the market.

4.10 Employment of Children and Young Persons

All market traders must comply with the Children and Young Persons Act 1933 & 1963, the Education Acts 1944-48 and the Employment of Children Act 1973.

Definition - A "child" is any person not over compulsory school age.

Definition - "Employed" is extended to include any child who assists in a trade or occupation even where the child receives no monetary reward.

4.11 Conduct of Traders

Market traders, their agents and/or employees paid or unpaid, are required to conduct themselves, whilst attending the markets, in an orderly manner and not use their trading positions so as to cause annoyance, inconvenience or concern to any other users of the market and/or market management, or Council Members.

4.12 General Matters

No traders shall engage in "pitching" i.e. calling out their wares. Traders should not demonstrate their goods except in places within the market area which may be designated by the Markets Manager.

The sale of live animals, fish, birds and other fowl shall not be permitted.

Acupuncture, ear and body piercing, tattooing or electrolysis will not be permitted on the market.

4.13 Termination

The Town Clerk shall have the right to refuse to allow a trader to trade on the following grounds:

- a) If rent has not been paid or is in arrears.
- b) If the Stall holder or his employees act contrary to the Specialist Market Regulations.

4.14 Electricity and Gas Supply

Traders may not install electrical equipment without the permission of the Town Clerk who will determine the terms and conditions of use of the Council's electricity supply which is open to review by him/her at any time.

Traders must only use the supply available for the operation of lighting, tills, scales, refrigerators and other fittings associated with market stalls.

All electrical equipment must be PAT tested and safe to the requirements of statutory regulations such as the Health & Safety at Work Act.

Permitted maximum amperage for electrical equipment is 10 amps for Vans, 5 amps for all other stalls unless otherwise authorised by the Town Clerk.

Fuse capacity must not be altered.

In no circumstances should cables be left on the ground. Electricity will be chargeable per trading day (see Ludlow Town Council's Schedule of Fees). If a trader does not wish to use electricity this charge will not be applied.

No heaters of any kind are permitted on the market.

No portable gas appliances are allowed without the express prior permission of the town clerk in writing.

4.15 Disposal of Refuse

All refuse must be placed in the containers provided by the Town Council's Contractor if this facility is available to the Stall Holders (This is not available as of right).

Only refuse accumulated by the Market Trader on the site is authorised to be deposited in such containers. Dumping of any other rubbish is strictly prohibited.

Cardboard boxes must be flattened. Traders are required at all times to keep stall areas and the avenues adjoining the stalls free from refuse and litter of any kind and to take all precautions to prevent litter from being blown about.

All associated packaging and rubbish must be removed to the disposal point.

All perishable waste and items that may cause a smell must be placed in bin liners and tied by the Stall Holder before being deposited as stated above.

4.16 Sale of Items

Members of staff of the Town Council will ask traders to remove inappropriate items or any items that may be viewed as dangerous or offensive to the public from display.

4.17 Contact with the Town Council

Course of action open to Market Traders who wish to contact the Town Council:

- a) In the first instance all matters shall be brought to the attention of the Market Officer.
- b) If you are unable to obtain a satisfactory solution to your problem please put your concern to the Town Clerk in writing.
- c) If you are still dissatisfied please ask an Officer of the local Market Traders' Federation to approach the Town Clerk who may put the matter before the Town Council's Services Committee.
- d) It is agreed that decisions of the Town Council will be binding on all parties.

4.18 Formal Trader Complaints and Compliance

A formal trader complaints and compliance system is part of market procedures and each trader attending the market accepts the use of the system as part of these regulations.

4.19 Influencing the Business of Fellow Traders

- a) No products may be advertised for sale that are not held on the stall that day and all items that are offered for sale must be specified within market application form.
- b) Due consideration will be given to the 'spirit' of a traders actions. If the Market Manager or the Town Clerk consider a traders actions to be negatively affecting another traders business, even if said action does not directly breach another term or regulation, then the compliance process may still be invoked

4.20 Regulations Review

These Regulations may be subject to review as the Council shall see fit.

5. Legal

The Food Act 1984 (Part III)
Children and Young Persons Act 1933 & 1963,
The Education Acts 1944-48
The Employment of Children Act 1973

6. Other relevant policies

Regulations for the Operation of Ludlow Market and the Buttercross Market
Ludlow Market Sale of Alcohol Policy

Implications

Wards Affected (All)

Financial (as stated in report)

Health & Safety (None specified)

Law & Order (None specified)

Environmental Implications (None specified)