

# Ledbury Town Council Charter Market Policy



## POLICY STATEMENT

Ledbury Council has powers to establish and operate markets under the Markets Charter and part III of the Food Act 1984.

The Council's Markets Policy is intended to cover all market events held within the town of Ledbury. In order that potential market operators are fully aware of the council definition of a market the following guidelines are provided:

- The legal definition of a market is a 'concourse of buyers and sellers (this means that the public are entitled to attend market events to buy and sell).
- A market will comprise not less than five stalls, stands, vehicles, whether moveable or not or pitches from which articles are sold.
- There will be an operator of the market who will be responsible for the organisation and delivery of the event.
- The term 'market event' includes car boot sales, antiques and craft markets, general markets, farmers' markets, and charity markets.
- A market may sometimes be held as an integral part of a special event/festival and where this arises the market element will fall within the Council's markets policy.

**This Policy will be reviewed on an annual basis. Any amendments or updates will be applied by the Town Clerk and reported to Finance, Policy, and General Purposes Committee.**

## GENERAL INFORMATION

1. The Market shall be open for business each Market Day from 8.00 am to 4.00pm. Stall holders should arrive from 7.30 am and must be clear of the site by 5.00pm. Traders must not leave the Market before 3:00pm.
2. Cones and barriers with signage will be put in place and cleared for Tuesday and Saturday Markets. The Towns Operative or Local Contractor will schedule this work.
3. Other than for loading or unloading, no vehicle shall be parked at any time on the roadway adjacent to the Market House or Market area unless the vehicle constitutes a Stall. **All vehicles must be removed by 8.30 am.**
4. Traders leaving early must cone-off their Pitch to avoid cars parking in Pitches; cones will be made available.

5. The Town Council shall look for traders to complement existing retail in the town.
6. The Town Council does not promise exclusivity to any trader.
7. One free charity or town organisation pitch will be offered at each Charter Market.
8. If there are vacant spaces at the market, The Markets Officer will offer traders the opportunity to utilise a further space at a discounted rate of £5 per pitch on the day.
9. If the Town Council becomes aware of any false information supplied on the licence application, a trader's licence may be terminated. Where a termination of the licence has taken place and the trader feels there are extenuating circumstances, they may make an appeal in writing to the Town Clerk, Ledbury Town Council, Church Lane, HR8 1DH.
10. All persons left in charge of a stall must be 18 years or over.
11. Market fees can be paid in advance by BACS or cash on the day.
12. The Town Council reserves the right to refuse permission or withdraw consent to trade at any time without notice; this will not be done without good reason. The decision will be taken by the Planning and Economy and Tourism committee, and Traders will be advised in writing and given the opportunity to appeal.
13. Traders may be re-located to an alternative site, free of charge, during Community Events. (During the October Fair which takes place during the second Monday and Tuesday of October, the Tuesday Market will not be held due to space restrictions.
14. No traders will be allowed to trade if their rent is in arrears by 4 weeks.
15. Special promotional rates may apply to new traders.
16. Additional charges for the use of the in-ground power supply will apply, consisting of £3.00 per pitch per day.
17. The Town Council will regularly promote the Charter Market and traders, including their wares, on social media and public press.

## **TRADERS RESPONSIBILITIES**

18. Traders must ensure:
  - They occupy the allocated plot as instructed by the Markets Officer.
  - That the size of plot matches that paid for.
  - They comply with the Town Council's safety guidelines.

They occupy their Pitches by 8.30am otherwise the Pitch may be reallocated for that day.

19. Notice of absence to be given by 2.00pm on the proceeding day by contacting the office on 01531 632 306.
20. Each Regular Trader is permitted up to a maximum of three days unforeseen absence (exempt from payment) in the 12-month period from April to March.
21. Seasonal Traders should provide a schedule of trading in advance, and will be given some flexibility.
22. If Traders are unable to source stock on the day immediately following a bank holiday, they must pre-book the day as absent giving four weeks' notice. However, if notice is not received within this time, a charge may be incurred.
23. Traders are expected to maintain adequate stock to trade until 4pm during the months of June, July and August unless otherwise agreed with the Markets Officer.
24. The traders must ensure that all refuse is collected from and around the Market House at the close of market and that adequate arrangements have been made for disposal. If litter is not removed arrangements will be made to collect litter and the traders will reimburse the Town Council for monies expended.
25. Stallholders and their assistants are required to conduct themselves in an orderly manner and are not permitted to perform any act which may cause annoyance or inconvenience to the public, nor to adjacent Stallholders.
26. All market traders must hold a current public liability insurance policy with cover of at least £5,000,000.00 (five million pounds) for any one claim. A copy of your insurance must be provided to the Town Council
27. All traders must comply with any relevant statutory requirements, bylaws and other legislation.
28. All accidents, disputes, thefts, disorderly conduct and goods lost and found must be reported to the Markets Officer.
29. No hawking / pitching is permitted at the Charter Market. If Hawkers are present at specialty markets, they will be asked to pay the going rate or asked to leave.

## **NATURE OF GOODS**

30. The Council determines the right to determine the types of goods sold.

31. No stallholder may make a material change in the class of goods authorised to be sold, except with the written permission of the Town Clerk.
32. Any sale of alcoholic goods must be accompanied by the correct, approved Licence. Proof of this Licence must be obtained and presented to the Town Council before trading can commence.
33. No open bottle alcohol sales shall be permitted.
34. It is the responsibility of the trader to check what licenses may be applicable and ensure these are obtained where necessary.
35. Stallholders preparing food will be required to provide food hygiene/handling certificates. Proof of these Certificates **must** be obtained and presented to the Town Council before trading can commence.
36. The use of the Market Place for the performance, sale or display of live animals, birds, or fish will not be permitted.
37. No firearms (real or imitation) will be sold at the market, but domestic cutlery is permitted. The sale of any item that may be deemed to be of a harmful, objectionable or offensive nature, or that is prohibited by current Acts of Parliament, is not permitted.

## EQUIPMENT

38. Traders may supply their own stalls, including any tables and chairs.
39. Traders may request the use of the council's tables (for which there is a charge of £5 per table)
40. Traders may request a gazebo (free) on a first come first served basis. The gazebos were funded by the Great Places to Visit Grant in 2022.
41. Town Council Gazebos can be used under the Market House or outside. Traders must read and sign the gazebo terms and conditions before hiring.
42. Loudspeakers, instruments or other noise generating appliances are not to be used unless authorised by the Markets Officer and shall be so moderated as not to cause any nuisance annoyance or disturbance to residents in the vicinity and the trader acknowledges that their attention has been drawn to the bylaws with respect to noise pollution.
43. Infringement of any of the above conditions or non-payment of fees by the trader will be treated as termination of the licence with the Town Council and may affect future applications for market trading.

## COMMUNITY BASED MARKETS

44. Community-based markets are organised by local communities or organisations with the intention of raising funds for a specific charity or celebrating a special event. The Council will consider applications in respect of community-based markets having regard to the following requirements:
45. The markets must be operated on a non-profit making basis to assist a charity or community event and the operator shall supply relevant information to the Council if requested. While it is acknowledged that some traders will be selling goods for their own purposes, the Council will look for the event to have a strong charitable element in the way the event is organised.
46. In respect of any consent the operator must have adequate insurances, comply with trading standards guidelines, health and safety requirements and any other statutory provisions laid down by the Council.

The Council will insist on such other requirements as are deemed appropriate to ensure consumer and public safety standards.

Please sign, date, and return this document to confirm your acceptance of the Charter Market Policy:

Sign:

Date:

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