



# LEDBURY TOWN COUNCIL

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13 February 2024

To: Councillors Hughes, McAll, Morris, Furlonger

Dear Member

You are invited to attend a meeting of the **Markets Working Party** on **Wednesday, 28 February 2024 at 5.30 pm** at **Ledbury Town Council Offices**, for the purpose of transacting the business below.

Yours faithfully

Angela Price  
Town Clerk

## FILMING AND RECORDING OF COUNCIL MEETINGS

Members of the public are permitted to film or record meetings to which they are permitted access, in a non-disruptive manner. Whilst those attending meetings are deemed to have consented to the filming, recording, or broadcasting of meetings, those exercising the rights to film, record and broadcast must respect the rights of other people attending under the Data Protection Act 1998.

## A G E N D A

1. **Apologies for absence**
2. **Declarations of Interests**

To receive any declarations of interest and written requests for dispensations.  
*(Members are invited to declare disclosable pecuniary interests and other interests in items on the agenda as required by the Ledbury Town Council Code of Conduct for Members and by the Localism Act 2011)*

*(Note: Members seeking advice on this item are asked to contact the Monitoring officer at least 72 hours prior to the meeting)*

3. **To elect non-council members to the Markets Working Party**

4. **To approve and sign the minutes of a meeting of the Markets Working Party held on 17 October 2023 and 14 February 2024 (Pages 72-74)**
5. **To review Draft Markets Strategy & Draft Market Policy (Pages 75-81)**
6. **Food Safety at Markets (Pages 82-95)**
  - a. Food Safety for Market Managers – General Guidance received from National Association of British Markets (NABMA)
  - b. Advice to Mobile Caterers and Food Safety Checklist
7. **Date of Next Meeting**

**Distribution: Full agenda reports to all Councillors (10)  
Plus, file copy**

Market Task & Finish Group 17/10/2023

Present: Councillors Hughes, Furlonger, l'Anson, McAll.

Also Present: Angela Price, Charlotte Bartrop, Olivia Trueman

- Need to move quickly
- So far:
  - Must stand for something
  - Be attractive
  - Be memorable
  - Be Ledbury Specific
  - Destination Market
  - Bigger than just buying from the market
- Need to increase the number of traders
- Need to increase the number of visitors
- Create a positive cycle
- To service a whole range of key stakeholders

Needed:

- Action plan taking into account existing documentation
- Trader Engagement – via Parish meeting
- Engagement with local population
- Tourists
- How to theme
- What types of pitch to have
- Be child friendly – an inclusive family experience – safe, fun, enjoyable, memorable

Previously:

- Nov 2021 talk with Ludlow Markets
- Mr Boffy from Malvern has spoken to LTC

Future:

- Third party company have contacted LTC to discuss ideas.
- Scope to be agreed by Full Council prior to meeting with third party
- Find out what town wants from a market

To note – when an event in the town has a market it is well supported by both market traders and customers.

- Stakeholder engagement document to be created prior to Parish meeting.
  - Who?
  - What messages?
  - Key objectives
  - Aims
  - Keep it simple

Outcomes:

1. Councillor McAll to create new strategy document utilising existing documents alongside new information
2. Councillor Furlonger to create a stakeholder document

Both documents 1 & 2 to be created to go to Planning meeting on 9 November and subsequent Full Council meeting.

**LEDBURY TOWN COUNCIL**

**MINUTES OF A MEETING OF THE MARKETS WORKING PARTY MEETING  
HELD ON 14 FEBRUARY 2024**

**PRESENT:** Councillors Morris, Lynn (From the Barn)

**ALSO PRESENT:** Angela Price – Town Clerk

MWP19. Due to there being just two people present at the meeting, it was felt that it was not possible to proceed and therefore the Clerk was asked to identify a date for a meeting.

**The meeting ended at 4.10 pm.**

**Signed .....** **Dated .....**

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<b>MARKETS WORKING PARTY</b>	<b>14 FEBRUARY 2024</b>	<b>AGENDA ITEM: 5</b>
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Report prepared by Angela Price – Town Clerk

**DRAFT MARKETS STRATEGY AND POLICY**

**Purpose of Report**

The purpose of this report is to provide members of the Working Party within discussions that took place at the recent full council meeting in respect of the two draft documents.

**Detailed Information**

Planning, Economy & Tourism Committee – 9 November 2023 (minute no. P119 refers) - That the Draft Markets Strategy document be recommended to Full Council for consideration and adoption ahead of the next stage, delivery plan.

Councillor McAll introduced the Draft Markets Strategy and Policy documents. He advised that it had been agreed that this draft should be presented to Council to establish whether the Working Party were on the right path with respect both documents. He advised that there had been some feedback which needs to be taken into account going forward. He pointed out that this is not a final document and that there a number of points that need to be challenged and reviewed.

Councillor McAll asked Members to consider whether this strategy and policy are something that the council can take on with a view to refining it and getting it right or do the group need to go back and expand on it much harder and more robustly.

Councillor Harvey welcomed the documents, she recognised that this has been discussed on many occasions over many years, but she was glad that council were coming back to this. She felt that all of the market towns are unique in their own way and do not necessarily compete against each other in respect of markets and she felt that Ledbury as a market town needs to establish itself and its market.

The following comments were provided in respect of the Strategy document:

- This document starts talking about what successful markets look like, but then evolves into something that is a bit more “this is what we want” without appearing to have gone through a broader stakeholder phase. She suggested that to improve on this document the wording should be changed to show what successful markets look like i.e. themed markets, entertainment etc. and what successful markets do to attract traders, learning from having visited other places. Then open it up to a conversation with the traders of the town and recognising that this is not about competing with them.
- The tourism element should be considered

- If this is a consultation document, how is it going to be consulted on?

The following comments were provided in respect of the Policy:

- It was noted that this was an update on the current document
- Should avoid confusion about who can make decisions about what is suitable for sale on the market
- Concerns were raised around the market hours (8.00 am – 4.00 pm), however it was noted that to change the hours would mean a change to the TRO that is currently in place
- What does the Charter dictate in respect of hours?
- Consider a core trading time to be stipulated in the policy – traders should be encouraged to ensure that they bring sufficient stock so as not to leave the market early

### **Recommendation**

Members are requested to give consideration to the above information in respect of the Draft Market documents and consider next steps, noting that an email has been sent to all Members requesting feedback on the draft documents.







## LEDBURY MARKET CONSULTATION PAPER

### Introduction

Ledbury Town Council acknowledges the need to develop the Town's Charter Market. The Council recognises that, in its current state, the market fails to attract traders, visitors and residents in numbers that could be considered viable in the long term. This strategy outlines an approach to developing the market offering to deliver a sustainable, workable solution. This document incorporates elements of previous draft policies and strategy papers.

### Background

An audit of the market undertaken in (Insert Date) reached the following primary conclusions:

- Visitor numbers were meagre and consisted mainly of a few returning local customers purchasing goods not readily available on the High Street (e.g. Fish and specialist cheeses).
- Customers generally 'shop & go' remain in the Town.
- A substantial majority of customers were Ledbury residents.
- The market was not attracting significant footfall from outside the Town.
- New stallholders often attend only once as they did not make enough revenue to deem their participation worthwhile.
- Ledbury is a market town that has antipathy towards its market. The Town Traders, in particular, view a town market as cannibalising sales.
- Current rules for traders are perceived as restrictive (e.g. Parking), and Ledbury is not a friendly or easy place to trade.

### Aim

Our goal is to have a vibrant, well-attended, positively trading, exciting market that attracts customers and market traders.

### Objectives

The three key objectives are to:

- Increase footfall from both Ledbury residents & external visitors.
- Create a thriving market that benefits stall holders and encourages them to regularly and consistently take a stall.
- Gain support from and promote participation amongst Ledbury Traders.

### Competitor Analysis

The team visited a variety of town markets across the Three Counties. Consideration focused on four primary areas:

- Footfall & attendance.
- Variety of stalls.
- Layout of the market.
- Reasons to visit that defined the market beyond the stalls.
- Stallholder engagement to gauge commercial success.

The busy markets with high footfall and regularly returning stallholders has the common feature that the market is a 'day-out' and the reason for visiting extended beyond habit buying. The more successful markets seemed to have something fresh to offer regular visitors to encourage them to return.

A mix of street entertainment, art, and music were intrinsic elements in the market offerings, creating a market day experience for customers rather than relying solely on trade. These markets also had a theme in keeping with the town's heritage and values. For example, Stroud market maintains a well-defined arts & crafts focus. Ludlow is known far and wide for the provision of artisan, fine local produce. It was also apparent that stallholders and visitors knew what to expect from the market and each other. More extensive, spread-out markets employed zoning to aid navigation and enhance the sense of a theme.

It was apparent that the successful markets had developed a 'Day Out' experience that encouraged visitors to remain at the market and in the towns for extended periods. This also boosted higher footfall from external visitors whom the supporting PR effort had attracted.

#### Ledbury Market Development – Principles of Design

The Ledbury market needs to develop its unique approach and values that support a positive customer, visitor and vendor experience. This strategic approach consists of three focus areas requiring detailed planning and work to deliver a market experience that all stakeholders will value and exploit.

Firstly, each market would be themed using a mix of options based on the Town's history and heritage to tell the 'Ledbury story'. Several theming opportunities could be developed, including historical characters (storytellers), a history stall, music, art and traditional activities (e.g. stocks).

Secondly, the development of zoned pitch offerings to include food demos, charity stalls, local organisations and large company stalls (e.g. to support recruitment) and make some stall space available for local traders to exhibit outside their shop environments.

The third area of focus is to make the market event attractive to children. If children can be attracted to the Town on market days, it is more likely that parents will remain at the market and in the Town for more extended periods. This also makes the market more attractive to external visitors. A broad mix of children's attractions could include fairground rides, mini cinema, jugglers balloon modelling, storytelling, puppetry, and face painting.

The ambition is to create an experience that is talked about and makes visitors want to come to Ledbury and townspeople wish to visit the market.

### STAGED APPROACH

#### Stage One – Immediate Approach

- The Charter Market will continue in the current position under and to the side of the Market House.
- LCC will attempt to negotiate the "freeing up" of unused parking spaces by market traders.
- Cones and barriers with signage will be implemented and cleared on Tuesdays and Saturdays. Town maintenance operatives or local contractors will schedule this work.
- The Town Clerk will apply current and updated Terms and Conditions and report to the Chair of Finance, Policy and General Purposes.
- Each Charter Market will offer one free charity or town organisation pitch.

#### Stage Two – Short-Term Approach

- Traders needing to sell from the back of their vehicle (e.g., cheese and fish) will continue to take a parking space to the side of the Market House.
- Other traders will use pitches under and in the Market House. Those agreeing to use pitches 'upstairs' in The Market House will be offered a peppercorn rent for the first six months. Terms and Conditions will apply.
- Market traders' transport vehicles will be booked into the remaining parking spaces.
- Local market-traders businesses, current traders, and "lapsed businesses" will be contacted and offered a twelve-month discount to rent a pitch. (discount calculated by 'profit' of Charter Market over the last 12 months).
- Current shop traders in Ledbury will be offered a 'free pitch' at the Charter Market. Other Terms Current shop traders in Ledbury will be offered a 'free pitch' at the Charter Market. Additional Terms and Conditions will apply.
- Permanent and temporary market signage will be designed, sourced, fixed or stored for day use.
- Weekly/ daily updates of traders who will be attending will be made to websites, public notices, Ledbury Reporter and local social media.

#### Stage Three – Midterm Approach

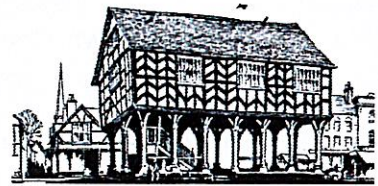
- The Charter Market will move to the redesigned and renovated area between St Katherines, The Master's House, and The Barn
- Market traders' vehicles will park free of charge in St Katherine's Car Park.
- Additional parking spaces will be freed up to allow for expansion.
- Financial support will be sought from, e.g. Herefordshire County DBID (Destination Business Improvement District; Ledbury MTPI (Market Town Economic Development Investment Plan). Improvement District; Ledbury MTIP (Market Town Economic Development Investment Plan).

- Promotion will continue and be strengthened and linked to tour operators and transport links.

Stage Four – Long Term

- Consider potential asset transfer to support the strategy (e.g. Car Parks)
- Consider links to the public transport system and opportunities to develop new transport approaches.
- Link to LTC Renovation Plan (e.g. use of abandoned commercial premises and pop-up business opportunities)

# 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.
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.
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.

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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 speciality markets, they will be asked to pay the going rate or asked to leave.

## Nature of Goods

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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

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:

44. 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.
45. 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.
46. The Council will insist on such other requirements as are deemed appropriate to ensure consumer and public safety standards.



**NABMA**  
*the voice of markets*

**MARKET SUPPORT DOCUMENTS**

**Food Safety for Market Managers – General Guidance**

**1. Introduction**

Market managers have a general responsibility for a safe environment to the public, to the market operator and to their food traders.

Managers need to be aware of the requirements for food safety so that their markets are maintained to a high standard.

From a reputational aspect it is clearly advisable that market managers have adequate food safety knowledge with the aim of enabling high quality food in markets, supporting their food traders and preventing ill health caused by poor food practices on markets.

As market managers deal with traders' stall applications, traders' waste disposal, applications for premises alterations etc. the training of market managers in food safety is highly desirable.

Checks on standards of food traders when letting and supervising stalls are recommended.

It is essential that market managers have a good working relationship with the local environmental health officer.

All markets are different – and each market operator will determine the appropriate requirements, systems and procedures for food stall lettings.

This NABMA Support Document offers a basic level of guidance.

**2. Responsibility**

The responsibility for food safety is that of each and every food trader

- Selling food
- Cooking food
- Storing and Handling food
- Distributing food

### **3. Registration**

All food traders need to register their food business with the local authority's environmental health office. It is a criminal offence to run unapproved food premises.

Whilst it may appear that there are relatively low level risks attached to fruit and vegetables and bread and that there are higher risks for particular foods and in the preparation, storage and cooking of hot food, soil contamination (eg E.coli) could be linked to unwashed F&V – so all food issues have risks attached. Traders involved in handling meat, fish, egg or dairy products need to be particularly careful.

See FSA guidance links on registration/approval below. Applications by food traders for registration to the local environmental health office should be at least 28 days before trading or starting food operations.

### **4. Food Hygiene Rating Scheme**

The Council may operate a Food Hygiene Rating Scheme in partnership with the Food Standards Agency so that food premises can display their ratings for customers. The ratings for food hygiene are:

- 5 – Very Good
- 4 – Good
- 3 – Satisfactory
- 2 – Some improvement necessary
- 1 – Major improvement necessary
- 0 – Urgent improvement required

Ratings are based on

- how the food is handled (preparation, cooking, reheating, cooling, storage),
- the physical condition (cleanliness, lighting pest control) of the business and
- how the business manages food safety (training, processes, systems).

Market Managers may consider that the minimum standards for food traders applying for a market stall should be 3 – Satisfactory. Some markets require a minimum 4 – Good rating.

NB In Wales a Food Hygiene Rating Sticker MUST be displayed.

## **5. Allergens**

Allergic reactions to particular elements in food are becoming more widespread and can be catastrophic in individual cases.

This is a speciality issue and information for managers on this is available at:

<https://www.food.gov.uk/topic/allergens#business-guidance>

<http://allergytraining.food.gov.uk/english/rules-and-legislation/>

## **6. Training**

Whilst holding a food hygiene certificate is not legally required, training for traders and their staff in food hygiene/safety is highly desirable. It is reasonable for market managers to ensure that food traders have food safety training (with evidence) prior to being allocated stalls.

There are a number of providers of food hygiene training on the Internet. Your local environmental health officer will give guidance on access to training. The Chartered Institute of Environmental Health (CIEH) offers three levels of certification:

- Introductory (Level 1) for food handlers preparing food in relatively low risk situations needing to know about hygiene, contamination and cleanliness.
- Foundation (Level 2) for food handlers preparing and cooking food.
- Intermediate (Level 3) for Food Managers/Supervisors

NABMA would encourage all market managers to undertake food safety training to Level 3 so that they have a good understanding as to what food traders need and what market managers need to do to support their traders and customers and how to maintain and supervise their markets to achieve high standards and customer expectations.

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## **7. Current Legislation and Food Guidance**

- Regulation (EC) No. 852/2004 on the hygiene of foodstuffs
- General Food Law Regulation (EC) No. 178/2002 and the General Food Regulations 2004
- The Food Hygiene (England) Regulations 2006 (as amended)
- The EU Food Information for Consumers Regulation 1169/2011
- Other: HASAW Act 1974, COSHH Regulations 1994 and 1999, Food Safety Act 1990, Food Labelling Regulations 1996 and Food Safety Regulations (HACCP) 2006
- <https://www.food.gov.uk/business-guidance/register-a-food-business#who-needs-to-register>
- <https://www.food.gov.uk/business-guidance>

## **8. Useful Documents**

As stated, each market manager will need to consider their approach to stall lettings to food traders, but NABMA is grateful for sample operational documents and advice provided by colleagues. These are particularly informative and useful for market managers.

Pauline Rider at Chelmsford City Council has kindly provided a self-assessment checklist and advice for mobile caterers for food traders on open markets.

Nicola Goodwin of Derbyshire Dales DC has kindly provided her checklist and Food Safety Guidance for Farmers Markets and Food Stall Traders.

John Walker of Calderdale MBC has kindly provided his Guidance on Food Safety at Markets and Events – and has also pointed to the usefulness of the CIEH National Guidance for Outdoor and Mobile Catering.

Steve Hadfield of Tameside has kindly linked to his Environmental Health colleague Bev Hursthouse for her advice/guidance.



## LEDBURY TOWN COUNCIL

### ADVICE TO MOBILE CATERERS

1. If you sell food you need to have registered your business with the Local Authority where your stall is normally kept overnight. There are almost no exceptions to this requirement. You are strongly advised to keep with your stall a copy of the last inspection report from your registering Authority (or another Authority if a more recent **full** inspection was made). If such a report is available and is less than 1 year old it is likely that any inspection made by a food officer will be brief.
2. Regulations (EC) No. 852/2004 Article 5 – you will need to comply with this requirement i.e. you will need to produce adequate documents and keep records. An exception to this is where food safety risks are very small indeed, such as the sale of fruit/veg or un-filled bread only. your documents will either be:
  - Produced by you
  - Produced on your behalf by a consultant
  - Produced by you from a recognised model such as “Safer Food – Better Business” (it is accepted that the SFBB pack for retailers isn’t ideal for market traders but it can be a suitable basis for your own system if used thoughtfully).

When answering question 2, please consider which of these methods you are using.

3. The person operating the system to comply with Article 5 (above) must be able to demonstrate they have adequate knowledge to do so. If you are in any doubt about your ability to operate a HACCP based system, “Level 3” food hygiene training is recommended.
4. It is useful for food handlers to have Level 2 certificates but legal compliance will be judged on the level of food hygiene ability demonstrated by the food handlers.
5. Gas or plug-in refrigerators are normally necessary to maintain cold temperatures in the summer. If insulated containers are relied upon they will need to be of a high British Standard (insulation efficiency). Units **must** maintain foods below 8 degrees C. Foods on display may take advantage of the relevant tolerance period. If this tolerance is used the method of control must be fully documented as part of Article 5 compliance. (You are advised to consider how long your customers may take to get the foods home in warm temperatures – it pays to be able to prove minimal temperature abuse at your own market stall).

If your foods need refrigeration you **must** have at least one thermometer with which to monitor storage temperatures. If you thaw and/or cook foods

the need for probe thermometers etc. will depend upon your own documented Article 5 procedures.

6. The means of ensuring that food is properly cooked must be recorded in your management system. If thermometers are used – staff must be aware of minimum cooking temperatures and sanitizers for disinfecting probes must be available.
7. It is recommended that food on display to the public is protected from possible contamination by the positioning of a barrier or upstand. Alternatively, food can be wrapped prior to placing on display.
8. Food not on display should be stored off the ground and wrapped or otherwise protected from environmental contamination.
9. The law requires washing and drying facilities for hands. Alternatives will not be accepted. Gloves may be suitable for some tasks but there is still a need to wash hands. Food handlers must regularly wash their hands thoroughly with warm soapy water.
10. You must act to eliminate or minimise all workplace risks to the safety of staff and others. If your organisation employs more than 5 people, the important points from your risk assessment must be recorded.

**LEDBURY TOWN COUNCIL**

**CHECKLIST FOR FOOD BUSINESSES WISHING TO SELL AT LEDBURY  
CHARTER MARKET**

		<b>YES/NO</b>	<b>Notes</b>
1.	Have you registered your food business with your Borough or District Council		All food businesses are legally required to register with the council in whose area they normally trade or in which the vehicle is normally kept
2.	If your business has received a food hygiene inspection is the stall/vehicle displaying the most recent hygiene rating ?		Results of an inspection can be requested by any member of the public by a freedom of information request. If your food operation has been inspected and issued with a hygiene rating, this should be displayed in a prominent position whilst trading
3.	Do you have a documented food safety management system (to comply with Regulation (EC) No. 852/2004, Article 5)		It is a legal requirement to have a documented food hygiene management system, and this must be available for examination by an authorised officer wherever you trade
4.	Do you have someone managing the stall or vehicle who is responsible for the proper operation of your food safety management system?		Make sure this person understands your management systems and this must be available for examination by an authorised officer wherever you trade.
5.	Has the person managing your stall or vehicle been trained in food hygiene to an appropriate level? All other persons (without certificated training) working or helping on the staff must be instructed or supervised.		Evidence of training relating to the individuals working or helping must be available for examination whenever you trade.
6.	Does your food operation require refrigeration of foods – if so, do you have suitable facilities? How will the temperature of substantial risk foods be checked? Do you have thermometers and sanitising wipes ?		Considerable risk foods not on display must be at a temperature below 8 degrees C

7.	Does your business involve cooking? If so, how are cooking temperatures monitored?		Foods need to reach at least 72 degrees for 2 minutes to kill harmful bacterial. If re-heating, previously cooked foods, a temperature of 80 degrees should be reached
8.	What facilities will be provided to protect foods on display to the public from contamination?		Have you got "sneeze screens" to protect food?
9.	How will you protect foods not on display from contamination?		Is this off the floor and under cover?
10.	What facilities will be provided for washing of food or equipment?		Separate handwashing and equipment washing facilities are required. Raw salads and vegetables should be washed before chopping or peeling.
11.	What hand washing facilities will be provided at the stall? If you rely upon flasks of hot water or teal units – what capacity are they?		You must not stint on facilities for handwashing. If you do not have any present when inspected you will be advised to stop trading?
12.	What protective over-clothing do food handlers wear?		Persons handling open food should wear appropriate over-clothing e.g. full aprons or coats and, if necessary head covering.
13.	Have you carried out a Health & Safety risk assessment (Covering such things as hot surfaces and liquids, use of gas and electricity, tripping hazards, use of knives etc.)		
14.	Insurance – If you are employing anyone, do you have Employers Liability Insurance		It is a legal requirement to have Employers Liability Insurance. It is also recommended that you also have some level of public liability insurance