



# Watton Town Council

## Market Rules

These Market Rules shall apply to the Market controlled by the Watton Town Council and shall come into operation on 1<sup>st</sup>. April 2014

**These rules apply to ALL traders on the market, including casual traders.**

1. (a) A Regular Trader is one who occupies a site for three or more successive weeks. The right to a site shall cease should a Stallholder fail to occupy his/her site for three consecutive weeks, except in the case of illness. See rule 25.  
  
(b) Traders who cannot be immediately accommodated will be put on the waiting list maintained by the Market Supervisor. Stall or Pitch allocation will be determined by the Market Supervisor and will be based on the need to maintain a balance of commodities within the market.
2. The Stallholder must occupy their stall/pitch by 8.30am. Any stall or pitch not occupied by 8.30am may be re-let to another trader at the discretion of the Market Supervisor. Non-attendance should be communicated to the Town Clerk by telephone (01953 881007) (Answer Machine available.) as soon as possible.
3. Casual Traders will be granted the temporary use of a vacant pitch subject to the Market Supervisor's obligation to maintain a balanced market. In addition the West End of the High Street may be used for Casual Traders overflow. Town Clerks decision in this respect is final and binding.
4. When for any emergency reason a Stallholder is unable to comply with Rule 2 (above) they shall so inform the Town Clerk as early as possible on Market Day.
5. The Stallholder shall ensure that: Loading and unloading in connection with their stall or pitch shall cause as little inconvenience to the public or other permit holder as possible and must be completed by 8.30 am. Vehicles **MUST NOT** be left on the roadway after that time **EXCEPT** where the Town Clerk has authorized a contrary arrangement. No vehicle shall return to the vicinity of the stall or pitch **BEFORE 2.00 p.m.** Dismantling of stalls or pitches must be completed within **ONE HOUR** of returning with their vehicle.
6. The Stallholder shall not sell Lottery Tickets from the stall or pitch, irrespective of whether the promoter has registered as a small society lottery under the Gambling Act 2005.
7. The Stallholder shall not sell alcohol from a stall or pitch unless a premises license has been obtained from the Council's Licensing Section or a Temporary Events Notice has been served on the Licensing Section in accordance with the Licensing Act 2003.
8. The Stallholder shall not affix their stall to, or place any of their goods or produce on, any item of street furniture or public memorial (Town Sign)
9. The Stallholder shall not deal in, sell or display goods other than those permitted commodities for the stall or pitch for which he or she shall hold a permit. The Town Clerk has the authority to stop a Stallholder selling goods that he or she regards as unsuitable. The Town Clerk's decision on this is final.

10. The Stallholder shall not place or display goods beyond the boundaries of their pitch or upon their stall in such a manner as may cause an obstruction to the passage of, or a danger to persons visiting the market. Stallholders must be aware of their responsibilities under the Health and Safety at Work Act to their employees and the members of the public. There must be 5ft/1.5 metres of clear pavement between any part of a stall and an adjacent building. Areas to be kept clean and tidy during trading.
11. The Stallholder shall not sell any goods or allow them to be sold by auction, pitching or touting, nor shall amplifiers, loudspeakers or other noise-making devices, motors or generators be used to an extent which shall cause nuisance or annoyance to other stallholders, the occupants of nearby premises or members of the public.
12. Only authorised Stallholders are permitted to engage in business within the market and they **MUST** display a name and address for the service of papers (Companies Act 1981)
13. The Stallholder shall complete and return to the Market Supervisor an application form detailing such information as the Town Council may require and promptly thereafter shall notify the Town Clerk of any changes in such information or supply such further information as the Town Council require.
14. Any trading on the street which has not been permitted under these market rules is known as 'street trading' for which a license should be applied for.
15. The Stallholder shall not assign or sub-let his or her stall or pitch or any part thereof or sell it to another person
16. The Stallholder is not permitted to collect money or sell articles for the benefit of charitable or other purposes from a stall or pitch unless a street collection permit under the Police, Factories, etc. (Miscellaneous Provisions) Act 1916 has been obtained.
17. At the end of trading the Stallholder shall cause all goods, empty cartons, crates and boxes, paper and other Market Refuse to be removed from the town and the site be left clean and tidy.
18. The Stallholder shall indemnify The Town Council against all costs, actions, claims and demands by any person or body arising from the exercise of their trading activities or those of their employees or agents and shall hold a valid insurance policy for public liability for claims up to £5 million and the Town Clerk shall be at liberty to call for and inspect such policy of insurance and the receipt of the current premium.
19. Notwithstanding Rule 18 (above) the Stallholder shall not be liable for any loss, damage or any injury which shall arise from the negligence or default of the Town Council's employees or staff.
20. The Stallholder shall:
  - (a) Provide appropriate facilities, equipment or material for stalls from which food is to be sold as required by law or by Environmental Health or Trading Standards Officers.
  - (b) To maintain standards of hygiene and cleanliness as required by law, Environmental Health Officers, Trading Standards Officers or the Town Clerk.
  - (c) To seek and comply with the requirements and advice of the Council.
  - (d) Hold a Food Hygiene Certificate, issued by the Breckland Council's Environmental Health Department when serving or preparing food. N.B. An industry guide to good food hygiene

practice entitled, "Markets and Fairs Guide" is recommended.

21. The Market Supervisor is to ensure that the Stallholder and their staff adhere to the appropriate standard of dress at all times.
22. The footings of metal-framed stalls shall be fitted and provided by the Stallholder, with flat metal plate fittings or supported on wooden blocks to prevent damage to pavements.
23. If without notifying the Town Clerk a Stallholder fails to attend the market on eight occasions in a twelve month period the Permit may be deemed to be revoked.
24. If a Stallholder cannot attend a market on medical grounds, on the provision of a medical certificate to the Town Clerk, credit of market fees will be made after the first week and up to a maximum of two weeks. During this time the Town Council reserves the right to temporarily let the Permit to another trader. At the end of two weeks, the situation will be reassessed and after notice to the Stallholder, the Council may permanently let the pitch to another trader. Applications for extensions to this period may be made in writing.
25. A market trader shall give 4 weeks written notice of their intent to cease trading. Failure to do so will result in charging for the period.
26. The Stallholder shall give four weeks' notice of their intention to take up to two weeks holiday in any twelve-month period. Failure to provide the required notice will result in charging for this period.
27. The Town Council will undertake, not to increase stall and pitch charges without giving existing Stallholders 4 weeks' notice in writing of their intention to do so.
28. Any complaint with regard to these Market Rules must be made in writing to the Town Clerk at Watton Town Council.
29. Stallholders shall comply with all reasonable directions of the Market Supervisor or any Bylaws relating to the Market.
30. Stallholders not complying with these Rules may have their Permit to trade suspended or revoked by the Council. For serious offences, suspension can be immediate. The immediate suspension will be at the discretion of the Town Clerk and put before the council who's decision is final.
31. The Town Council may add to or amend the Market Rules in the light of changing circumstances or for any other reason on the understanding that existing Stallholders will be advised in writing in advance of any intended alterations.
32. Stall fees will be paid monthly in advance (12 payments) giving regular stallholders, four free weeks per year attendances at the market. Reimbursement of any monies must comply with Rule 24.

Passed by resolution of the Full Council Tuesday 11 February 2014