

**RUSHCLIFFE BOROUGH COUNCIL
BINGHAM MARKET**

MARKET REGULATIONS

The Council, as Landlord, is the Rushcliffe Borough Council, The Arena, Rugby Road, West Bridgford, Nottingham, NG2 7YG.

The Officer responsible for the operation of the Market is:
Head of Economic Growth and Property
Rushcliffe Arena
Rugby Road
West Bridgford
Nottingham
NG2 7YG

A Market Manager acting under the instructions of the Head of Economic Growth and Property will be in attendance at the Market between 7.30 am and 11.30 am and any requests made by them must be carried out expeditiously.

Market Day is Thursday of each week, or additional days, as the Council may authorise.

Any person wishing to stand on the Market must first seek permission from the Market Manager, if this is not the case traders will be asked to leave.

1. Terms of Tenancy

Pitches will be reserved for traders, as arranged by the Market Manager prior to market day, but any pitch not taken by 8.00am will be re-allocated.

2. Pitches

The fee applied will depend upon the size of pitch (pitch fees to be reviewed annually):

- Up to 14ft £22.00
- 15 to 20ft £30.00
- 21 to 30 ft £38.00
- 31 to 50 ft £52

Use of electricity is charged at £5 per day.

3. Stalls

All stallholders must provide and erect their own stall in the agreed position and no alteration to the structure or fittings of any stall shall be made without the permission of the Market Manager.

Stalls must be of an approved type and size.

4. Stall Boundaries

Stallholders may not place goods either on the ground or hanging from a stall outside the area allocated to them and at all times must ensure that avenues are kept clear of receptacles and merchandise. All goods for sale and stalls and other equipment are to be set out so that the risk of slips, trips or falls is minimised and clear routes are maintained for emergency vehicles.

5. Health and Safety Responsibilities

Because of possible risks to the public when passing through the Market it is the responsibility of all traders to ascertain and comply with Health and Safety legislation concerning the operation of their stall or mobile trading unit from a pitch either by themselves or others.

All traders are expected to:

- Familiarise themselves with Health and Safety legislation and requirements
- Undertake appropriate risk assessments, and safe systems of working that are implemented and regularly reviewed
- Ensure all employees, agents and contractors are adequately informed, instructed, supervised and trained in Health and Safety matters
- Take reasonable care of their health, safety and welfare and that of others who may be affected by their acts or omissions
- Work correctly and safely in accordance with all training and instruction
- Make available and ensure the use by themselves and all employees of appropriate personal protective clothing and equipment suitable for the task
- Take appropriate corrective action with respect to any person failing to carry out a health and safety duty assigned to them for which they have received appropriate instruction, or who endanger any person by act or omission
- Assist the Market Manager by reporting any accident or incident that has or may cause injury to a person
- Provide and maintain a first aid kit
- Co-operate and comply with all directions of the Market Manager

Failing to follow these requirements could lead to a permanent ban on being able to trade at the Market depending on the circumstances.

6. Insurance

Traders are required to maintain Public Liability and, if required, Employers' Liability insurances at all times and provide evidence of same to the Market Manager upon request.

7. Emergency Procedures

On occasion it may be necessary to evacuate the market in the event of an emergency to ensure the safety of traders, employees or members of the public.

Evacuations will be directed by the emergency services or the Council/Market Manager, Traders can assist in ensuring a calm and safe evacuation by obeying the instructions of emergency services and passing on guidance to any members of the public.

Given the open nature of the Market there is no officially designated assembly point. The Market has numerous points of access therefore the principal focus of an evacuation will be to direct members of the public away from any potential danger.

Once the market is clear all traders are requested to report to Bingham Library so that the Market Manager can brief you all on the situation.

8. Terrorist Attack

In the event of a terrorist attack, the instruction to the public, traders and staff will be to **RUN, HIDE, TELL**

RUN

If there is a safe route: Run. Insist others go with you. Don't let them slow you down. Leave belongings behind.

HIDE

If you can't run, hide. Find cover from gunfire. Lock the door and barricade yourself in. Move away from the door. Be very quiet, silence your phone.

TELL

Dial 999 only when you are safe. Give location and the direction the attacker is moving in.

9. Stall Signs

Stallholders must exhibit their name, trading name and contact telephone number on their stalls, in a position visible to the public at all times and to the approval of the Market Manager.

10. Lighting and Heating

All lighting and heating installations shall be approved by the Market Manager before use.

11. Disposal of Refuse

Stallholders are required to take away all their refuse and litter from the site at the close of the Market. Except where alternative arrangements have been made with the Market Manager.

Small items of litter can be disposed of by using the receptacles provided, which the Stallholder must place at the designated collection point on the edge of the Market area at the appointed times. The Council reserves the right to make a charge for this collection.

Stallholders are required to keep their designated area clean and tidy and free from refuse and litter at all times and not permit their litter to be distributed around the Market or surrounding area.

12. Cleanliness and suitability of Stalls

All stalls, fittings, fixtures and appliances must be maintained in a good state of repair and cleanliness.

Traders have responsibility for ensuring that they, their employees and members of the public are not at risk from their equipment or their activities. They should therefore ensure that stalls are sound and stable, and if there are concerns over this, then this must be raised with the Market Manager as soon as practicable. Traders should visually inspect their stall prior to opening for business to ensure that they are satisfied that the stall is safe to operate from.

13. Sale of Goods

Goods for sale must comply with all relevant legislation in line with Trading Standards. The following points need to be considered, this is not an exhaustive list:

- Electrical Equipment must meet European Standards, this is usually demonstrated by the CE mark
- Toys must be properly marked to ensure traceability, bear the CE mark and be accompanied by instructions for use and warnings where necessary
- Upholstered furniture should comply with the Furniture and Furnishings (Fire Safety) Regulations 1988. Upholstered furniture that meets the requirements of the Regulations should carry a permanent label with the heading “carelessness causes fire”
- There are a number of things to consider for any stall holder selling tobacco products this includes (this is not an exhaustive list):
 - It is against the law to sell tobacco products to anyone under the age of 18, any stall selling tobacco products must have a clearly visible sign in a prominent position stating it is illegal to sell tobacco products to anyone under 18 years of age
 - A packet of cigarettes must contain a minimum of 20 cigarettes, you must not split a pack and sell in lesser quantities.
 - Under the Tobacco Advertising and Promotion (Display) (England) Regulations 2010, you are required to cover your display of tobacco products. It is an offence to display tobacco products unless a specific request to purchase tobacco has been made to you by a person aged 18 or over.
- It is illegal to sell and deliver knives, other bladed products and corrosive substances to anyone under 18. This includes the following bladed articles:
 - knife, knife blade or razor blade
 - axe
 - other article that has a blade or is sharply pointed, and is made or adapted for use for causing injury to the person

14. Food Hygiene Regulations

The operators of stalls from which food is sold are required to observe the provision of all current Food Hygiene Regulations. Advice on the interpretation of these Regulations will be given by the Council's Environmental Health Officers and their decision on all matters of food hygiene is final and binding.

All stall holders on the Market are expected to have a food hygiene rating of 3 and above. Should a traders rating fall below this standard they will be given a period of time (maximum of 12 weeks) to request a reassessment or appeal the decision. If after reassessment the rating does not achieve a rating of 3 the trader will not/no longer be able to trade on the Market until the rating of 3 is achieved/reinstated.

Any contravention of these Regulations will result in instant dismissal from the Market.

15. Weighing Apparatus

All weighing equipment/apparatus must be Government stamped and be clearly visible to customers and placed in a position sheltered from wind and any other factor that may affect its accuracy.

16. Vehicles, Handcarts, etc

All vehicles, whether carrying goods for sale on the market or transporting equipment to the Market must either be fitted with an audible reversing signal or use the Market Manager or another trader to assist when reversing.

Vehicles, Handcarts etc. must not be brought onto the paved area of the Market Square without the permission of the Market Manager who must be present to supervise. The parking of all such vehicles around the Square is prohibited, unless authorised by the Market Manager.

All vehicles shall be removed from the roads adjacent to the Market by 9.30am and shall not return earlier than 3.30pm, unless authorised by the Market Manager.

17. Change of Merchandise

Stallholders shall only sell from their stall an approved class of merchandise; no change shall be made without the approval of the Market Manager.

The Council reserves the right to alter the number of stalls allowed on the Market at any time and to allocate new stalls to whatever trade or operation it deems suitable.

The Market does not have an 'exclusive use' policy.

18. Hours of Market

The Market shall generally remain open for trading between the hours of 8.30am and 5.00pm in the summer and 8.30am and 4.30pm in the winter, subject to the Market Manager's discretion.

Stallholders must remain open during the core hours of 8.30am to 2pm, unless by

express permission by the Market Manager.

All goods and stalls are to be cleared from the Market area within a period of half an hour of the closing time.

Tenants are reminded that the provisions of the Shops Act apply to market stalls. The time allowed for the erection of stalls shall be at the discretion of the Market Manager.

19. Conduct and Behaviour

Stallholders and their staff are expected to behave in a professional and socially acceptable manner at all times having regard to the interests of all traders and the market as a whole. Verbal abuse or physical aggression will not be tolerated in any circumstances towards any customer, trader, visitor or employee of the council or market.

Any infringement of this will lead to action resulting ultimately in the loss of their pitch. In the event of serious infringement of these regulations by stallholders or their employees, or persistent minor infringement, the ability to trade on the Market will be terminated with immediate effect.

20. Termination of Tenancy by the Council

The Council reserves the right to terminate a licence to trade forthwith in the event of non-compliance with any Regulations, or in the event of a stallholder offering or exposing for sale any article of food which is unsound or unfit for human consumption, or any other unreasonable act or activity carried out by the trader.

21. Sub-Letting

A trader shall not sub-let their pitch in whole or in part.

22. Trading from Wheeled Vehicles

The conditions herein set out will apply to all wheeled vehicles which are authorised to stand in the parking bays on the Market Square and from which trading takes place.

23. Rents

Licence fees will be fixed from time to time by the Council and may be varied at any time by the Council on giving four weeks' notice in writing to pitch holders.

Licence fees must be paid regularly and in advance upon request; no stallholder will be allowed to remain on the Market if in arrears with their fee.

The fee will be assessed as multiples of the standard pitch and corresponding approved rates.

24. Political activity

Political activity of any kind is not permitted on the Market, any person deemed to be involved in political activity will be asked to leave the Market.

Any questions about this should be directed to the Head of Economic Growth and Property at Rushcliffe Borough Council.

25. Cancellation of market

The Council retains the right to close/cancel the market at their absolute discretion if they consider this to be necessary on the grounds of public safety. Close monitoring of the weather will take place with respect to predicted wind speeds, snow and ice and flood warnings.

If the Market is cancelled due to extreme weather making it unfeasible for the Stallholders to attend, the Licence fee for that week may be waived at the discretion of the Market Manager.

26. Bingham Town Council events

Bingham Town Council's Christmas light switch on will take place each year on a Friday between late November and early December. For health and safety reasons stalls for the event will need to begin setting up on the Thursday before the event.

This may impact on a small number of stall holders for that week who may need to finish trading early/not attend at all. Those stall holders affected will be given reduced or rent free.

The Market Manager will inform stall holders of this 14 days before the affected Market day.