

# Ross-on-Wye Town Council

## Markets Policy

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### Statement of Policy

Ross-on-Wye Town Council controls the open space under the Market House for market trading activity, including use of this space for community, commercial or charitable purposes.

It also has a markets operator licence from Herefordshire Council for the retail markets on Thursdays and Saturdays on the market 'apron' area adjoining the Market House, as well as for any future markets that must be approved by Herefordshire Council.

These two spaces shall, for the purposes of this Policy, be known as the Market Place.

Retail market trader fees will be reviewed annually by the Town Council. Any changes will be notified at least one month before implementation.

### General Conditions

1. The retail markets will run between the hours of 8am and 4pm on Thursday and Saturday. Any other markets run by the Town Council or privately shall be approved by Herefordshire Council and take place at a time agreed by the Events Committee.
2. Applications for a retail market trader's licence must be made to the Town Clerk using the prescribed form.
3. The Town Council shall look for traders to complement existing retail activity in the town.
4. The Town Council does not promise exclusivity to any trader.
5. 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, Ross-on-Wye Town Council, Corn Exchange, High Street, Ross-on-Wye.
6. No person(s) shall occupy or take possession of the Market Place or surrounds or deposit any goods, equipment or utensils upon the Market Place or surrounds until the facility has been duly let or allocated by the Town Council's Markets Officer for the use of such person(s).
7. All persons left in sole charge of a stall must be aged 18 years or over.
8. Retail market trader fees will be collected at each market by the Town Council's Markets Officer.

9. The Town Council reserves the right to refuse permission or withdraw consent to trade at any time without notice; this will not normally be done without good reason, the decision to be taken by the Events Committee.

### Responsibilities of Market Traders

10. Traders must ensure: they occupy the allocated plot as instructed by the Markets Officer; that the size of plot matches that paid for; and complies with the Town Council's safety guidelines.
11. 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.
12. The traders must ensure that all litter is collected from and around the Market Place 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.
13. The traders must keep the kitchen facilities at the market in a clean and tidy condition. No storage of goods shall be permitted at the site between market days.
14. Traders and their employees will conduct themselves at all times in a manner that is acceptable to the Town Council. In cases where misconduct has taken place the Town Clerk may withdraw or suspend a trader's licence. During the period of suspension, the trader and their employees will not be allowed to operate.
15. Under no circumstances may market pitches be sub-let, transferred or assigned. In the event of the Town Council having reason to suspect this is happening, the Town Council reserves the right to suspend the trader's use of the Market Place pending further investigation. Should this abuse be proven to the satisfaction of the Town Council, termination of the trader's licence may result.
16. 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. The policy must indemnify the Town Council and its employees against any claim, howsoever arising. Details including name and address of insurance company and policy number must be provided to the Town Council and upon each renewal date updated details produced and filed in the Town Council office prior to the market taking place.
17. All traders must comply with any relevant statutory requirements, Bylaws and other legislation.
18. Traders must report all accidents, disputes, thefts, disorderly conduct and goods lost and found to the Markets Officer as soon as possible.
19. No hawking / pitching is permitted at the Market Place at any time.

### Products for Sale

20. The use of the Market Place for the performance, sale or display of live animals, birds, or fish will not be permitted.

21. No firearms (real or imitation), air weapons, sheath knives, cut-throat razors, hunting/fighting knives, bows or crossbows may be available for sale, 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.
22. Traders may only sell the articles listed in their licence. The Markets Officer may request that a trader remove an item or items from sale forthwith without notice or reason.
23. All articles which are exposed or offered for sale for human consumption shall comply with current food and hygiene regulations.
24. No open bottle alcohol sales, no alcoholic tasters or sales of legal highs shall be permitted.

### Equipment

25. Traders must supply their own stalls, including any tables and awnings.
26. Traders must not install heating apparatus of any kind other than equipment associated with their product line (e.g. food).
27. All electrical apparatus used in connection with the Market Place and other stalls shall be properly and effectively fitted with suitable and sufficient Residual Current Devices to be installed in the circuit between the main take off point and any trailing leads and cables. All electrical equipment must be portable appliance tested.
28. 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.
29. 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.

*July 2015*