

HEMSWORTH TOWN COUNCIL
OPEN MARKETS – DAILY LICENCE
REGULATIONS AND CONDITIONS OF LETTING

The trader may, upon proper completion of this licence, occupy Stall No(s)
At _____ Market on _____ of each week subject to compliance with the regulations and conditions of letting.

1. The goods, which you are permitted to sell on the above stall(s), are -:
(See appendix 1 for definitions)

Any application to vary the list of authorised goods must be made in writing to the appropriate Market Group Manager. The proposed new goods should not be displayed until written approval has been given and a new daily licence completed.

2. Lettings are on a daily basis only. The assignment or sub-letting of stalls is not permitted and stalls will not be let in the name of a Limited Company or Partnership. In the event of a trader not attending at the stall in person they must, on request, provide satisfactory documentary evidence of employment of staff. Failure to do so will necessitate the personal attendance of the trader at the stalls. The transfer of stalls to any immediate member of trader's family will be considered upon written request. Approval will be subject to the family member having been associated with the stalls business for a minimum of two members having been associated with the stall business for a minimum of two years and to this being their livelihood during this period. If necessary, documentary evidence must be submitted to substantiate the condition.

3. The daily charge is payable on demand

4. A full retaining fee is payable in respect of stalls reserved for regular traders in the event of them being absent.

a) All unauthorised absence **will** be charged at full rent.

b) Authorised absence requests will be considered by Market Management for individual traders. Applications will be tested on merit and should be submitted in writing to the Market Manager and supported by evidence of mitigating circumstances.

c) Traders who have three consecutive weeks unauthorised absence will have their licence terminated and retaining fees will be recoverable.

5. Extended leave of absence (a maximum of 6 weeks) may be granted on request. Traders may nominate someone to run their stall(s) during this time on completion of the appropriate declaration, which will be available at each market office. Both the trader and the nominee must attend the market office to complete the relevant documentation.

Please note: The nominee will only be permitted to run the stalls for the specified period. Should a trader not return to the market on the agreed date, retaining fees will be charged as appropriate.

6. Traders must occupy their stalls by 9.00am except in the event of an emergency only, when notice must be given to the markets officer prior to 9.00am. Any unoccupied stalls will be let to any trader waiting for space after 9.00am. Local variations may apply. Please check with the market you are attending.

7. Vehicles are not permitted on the market area.

8. Stall boards must not be misused or damaged in any way.

9. Traders must not alter the stall structure in any way that compromises the safety of the stall. Waterfalls or other similar display equipment should be at a minimum height of 6ft except when over end boards, rails or other waterfalls. Waterfalls must not protrude in front of stalls. The structure supporting waterfalls should be firmly attached to stalls, not just clamped. Clamps should only be used to stop sway or movement not for support. Traders own stall parts must not protrude into public areas where people are likely to walk into them. They should be intrinsically safe with sufficient support not just clamped. Metal ends should always be padded. Traders must not misuse any electricity supply. All equipment used must conform to Health and Safety legislation. Traders are permitted to use two bulbs per stall, where electricity is supplied, without any additional cost. Further bulbs may be used, at the discretion of the officer in charge, provided that the appropriate fee paid.

10. Goods must not be hung or placed at the front of a stall so as to project beyond the front of any stall board supports except at the discretion of the officer in charge. Additional display areas may only be utilised at the discretion of the officer in charge, subject to payment of the appropriate fee.

11. The dressing of vegetables, plants, flowers, shrubs and trees outside the stall area, or any other obstruction of the public aisles, is not permitted. Traders occupying “pitching” space must not encroach beyond the limits of those pitches.

12. Barrows, boxes and vehicles must be quickly loaded or unloaded and once emptied removed from the gangways and pedestrian areas of the market. Any trader seen to be delaying the loading/unloading process by setting out a stall or wasting time will be deemed to be acting in contravention of the licence regulations.

13. Traders who wish to change their stall(s) position must complete a transfer form, in person, at the appropriate markets office.

14. Traders and/or their employees must conduct themselves in an orderly manner and must not use obscene language. Goods of an offensive or obscene nature (as determined at the discretion of the officer in charge) must not be displayed. The permitted sound level of any live or recorded music being played will be at the discretion of the officer in charge. Any trader wishing to keep a dog or another animal at their stalls must inform the Market Manager of their intention to do so and gain prior approval of such action.

15. All traders must immediately inform the appropriate markets office of details of any changes in name, address or telephone number.

16. Traders must keep their stalls tidy at all times, clean the stall area , deposit their rubbish at the refuse disposal point and have their stalls clear by 3.00pm, in order to facilitate the clearance of the market by the Council’s workmen. Traders must not allow their refuse to litter the markets.

17. The selling of knives, guns and offensive weapons will not be allowed.

18. Traders must comply with Health and Safety Legislation, Food Hygiene Legislation, Consumer Legislation and any other relevant enactment.

19. All reasonable instructions given by the Council’s Market Personnel, Police Constable or Fire Officer must be complied with.

20. The Council reserves the right to close the Market for official bank or public holidays and extreme weather conditions.

21. Written notices by the trader are required to terminate the holding of a stall or pitch. The notice must be received at the appropriate Market Office at least one day prior to the Market day on which the stall or pitch would otherwise have been reserved.

22. Stalls are to be used for quiet selling. Where traders wish to use trading positions for demonstrating, pitching, or other means of attracting a crowd, then approval in writing must be gained from the appropriate Market Group Manager (excluding fruit and vegetables).

23. Markets Management may stipulate particular areas – both within and outside the market area – as non-parking areas for traders. Subject to formal notification traders who continue to park in such areas will be subject to action being taken by the Council, as hereunder.

24. Nothing contained in this licence shall be deemed to create the relationship of Landlord and Tenant between the Council and the registered trader.

25. Hemsworth Town Council reserves the right to alter these Regulations and Conditions of Letting by giving one week's notice.

I agree to adhere to the Regulations and Conditions of Letting as detailed above, to abide by the Pledge of Charter and accept that if I fail to comply with such Regulations and Conditions I will be subject to action under the Council's Disciplinary Procedure System (See appendix 2). I also note that should I have a grievance with regards to my stall occupation I must follow the Council's Grievance Procedure (See appendix3).

Full Name (PRINTED) _____

Date of Birth _____

National Insurance No _____

Public Liability Insurance _____

Certificate No _____ Expiry Date _____

Address _____

Post Code _____

Telephone No _____

Tick if positive identification provided (if necessary) []

Format _____

Issued by _____

Signed _____ Date _____

Tina Pattison
Hemsworth Town Council
Community Centre
Bullenshaw Road
Hemsworth
WF9 4NE

Data Protection Act 1998

The information provided on this form will be kept on file by Hemsworth Town Council and may be shared with other Council Departments and Government Departments for data matching purposes and the detection of fraud.