

MANAGEMENT REGULATIONS

AYLESBURY MARKET

These regulations have been devised in the best interests of the Market as a whole and all traders and shoppers. In this document the terms 'trader' 'stallholder' are interchangeable which also encompasses the market manager and all market management staff.

These regulations may be revoked, amended or supplemented in such manner and to such extent as the market operator may in their absolute discretion from time to time direct. Traders are required to familiarise themselves and any employees with the regulations and copies should be made available for all those attending the market in any capacity. Traders are required to comply with the provisions of these regulations, which may be issued from time to time. Copies of all these documents are available from the market manager.

A TYPES OF AGREEMENT

- a.1 **Regular traders** are required to attend in person on each trading day that they are committed to trading on. Regular traders are also required to hold a two-trading day deposit. Deposits are non-refundable and can be redeemed through trading days only.
- a.2 For traders in arrears, **your deposit must be replenished in full before returning to trade (if deposits are applicable)**, and then an agreement is to be made for an arrears payment structure with the Market Manager. The minimum total to be repaid must meet the casual rate for your stall until the balance is zeroed.
- a.3 Traders are to notify management before 6am if they are not able to attend on the day.
- a.4 **Casual traders** are those that are granted a pitch for a single day in return for a fee payable prior to or on that day. The manager allocates a space at his discretion each day and after 08:00hrs, may include the stalls of regular traders.

B PAYMENT OF RENT

- b.1 Regular traders must pay the manager on demand in cash or via card machine before 10.00am on the day of trading. Card payments can be made via the office prior to the trading day.
- b.2 Casual traders must prepay prior to allocation of a pitch by the market manager. Card Payments can be made via the office or cash onsite, prior to the trading day. Payments made in advance are non-refundable and non-transferable.

C INSURANCE, IDENTITY AND SIGNAGE REQUIREMENTS

- c.1 All traders are required to hold valid public liability insurance cover. Membership of the National Market Traders Federation www.nmtf.co.uk is the most recognised in the industry.

- c.2 All traders must produce photographic evidence of identity and place of residence to the manager. A photo driving license and recent utility bill will generally suffice. This data will be kept secure and confidential between the parties.
- c.3 All traders in foodstuffs shall display their trading name and business address in a prominent position on the stall. All other traders shall display a prominent sign showing no less than their trading name and details of their insurances.
- c.4 The Council shall not be liable to any trader, or to any trader's employee or attendant, for any loss or damage sustained through fire, theft or through a trader's negligent act or omission.
- c.5 The Council will not be responsible for personal injury or death of any person unless the personal injury or death has been caused by the negligence of the Council or its officers or agents.
- c.6 The Council shall not be liable to compensate any trader for loss of goodwill, loss of profits, loss of business or otherwise on the termination of the trader's reservation on the Market or at any other time.
- c.7 A trader shall indemnify the Council from and against all actions, proceedings, damage, claims, losses or outgoings of whatever nature arising out of the trader's use of any stall, pitch, vehicle or stand etc., on the Market and shall take out a policy of public liability and products liability insurance for a sum of no less than £5,000,000 for each and every claim or such other sum as may be determined from time to time by the Council and provide a copy of the current policy to the Market Manager on request.
- c.8 It shall be the responsibility of each trader to insure their stall, stock, fixtures, fittings and any other valuables brought into the Market against damage by fire, weather, theft, flood or other perils.
- c.9 It is the responsibility of each trader to produce their own up to date and regular risk assessments relevant to their occupation of and trading from the Market, including, without limitation, the erection and dismantling of stalls, the use and safety of cables, and/or the management of food hygiene.

D COMPLIANCE

- d.1 Traders are required to comply with the directions of the market manager or their staff at all times.
- d.2 Traders on the market are required to comply with and ensure compliance by the employees and other persons acting upon their behalf with the provisions of these management regulations, any and all Acts of Parliament, statutory regulations, byelaws or rules and regulations made by a competent authority. This included Health & Safety, Employment and Trading Standards Legislation. It is the responsibility of the traders to determine which applies to them and to ensure compliance.
- d.3 Traders are required to conduct themselves in a manner which does not cause danger, annoyance, nuisance or impediment to any other persons. This precludes the use of threatening or abusive behaviour, foul language or drunkenness. The manager has the discretion to suspend any trader who breaches this rule.
- d.4 Goods that are counterfeit, offensive or dangerous may not be sold and the market manager has absolute discretion to determine if they represent same and to require their immediate removal.
- d.5 Traders in foodstuffs are required to comply with the Food Traders Appendix. A copy is available from the market manager.

E TRADING TIMES

- e.1 Trading days are:
Wednesday, Friday and Saturday.
- e.2 Core trading hours during which traders are obliged to open for business are:
09:00hrs to 14.00hrs plus such additional times as the market operators may direct. Times are subject to change from the management.
- e.3 The market will be closed on Good Friday, Christmas Day, Boxing Day and News Years Day.

F HOURS OF ACCESS AND TRADING

- f.1 All stalls shall be occupied by 08:00hrs and capable of trade by 09:00hrs.
- f.2 Traders cannot enter the High Street before 06:00am. Management will be onsite from 06:00am.
- f.3 No vehicle access or movements can take place after 9am, unless otherwise authorised by the market manager. All vehicles must be off the High Street by 9am, returning at 14:00
- f.4 In the event of a temporary absence of the trader, a responsible adult person shall be left in control of the stall.

G ACCESS BY VEHICLES FOR LOADING AND UNLOADING ONLY

- g.1 Traders shall comply with the permitted access hours and any traffic management directions made by the market manager e.g. an allocated time. If a trader is unable to meet the allocated time then other vehicles with pre allocated time slots will have priority. Vehicles must not obstruct other vehicles and deliveries and must not be left unattended with their engine running. Once unloaded or loaded they must be removed without delay. Any unattended vehicle may have a fine or penalty imposed.
- g.2 Only vehicle types and trailers authorised by the manager shall be brought onto the market. All vehicles and trailers shall be roadworthy, insured and in possession of an MOT certificate and current road fund license. All drivers must possess a full UK driving license and be insured to drive same.
- g.3 Any spillages of oil or fuel must be immediately cleaned up and reported to the manager.
- g.4 The filling or emptying of fuel tanks whilst attending the market is expressly prohibited.
- g.5 Traders are permitted to use the MiPermit parking scheme. To access this, Traders must register their email address through the council to benefit from subsidized parking. The current price is £4 for the whole day.

H ADDITIONAL REQUIREMENTS – SALE OF FRESH FOOD

- h.1 All traders in foodstuffs must register with their local Environmental Health Department as a 'Food Business' and comply with the separate 'Food Trader Appendix'. A copy is available from the market manager.
- h.2 It is the responsibility of traders to ensure all edible foods sold on the market are handled, displayed, priced and sold in accordance with statutory requirements including the EU Food Hygiene Regulations. All edible goods must be stored and displayed at least 12 inches above ground level. Some types of goods may require refrigeration – advice and guidance on handling methods is available from your local Environmental Health Dept.

I RECYCLING AND WASTE DISPOSAL

- i.1 No waste or refuse shall be brought into the market. Refuse generated during the course of the days' trade should be removed at the end of each trading day. Waste and Recycle bins will be

onsite for residual waste. Management reserves the right to add a fee to traders who generate excessive waste.

- i.2 Traders who generate fish, meat and catering waste shall make their own arrangements for storing waste within their stall during trading hours.
- i.3 Traders shall not discharge noxious or foil liquid waste including cooking oil and food waste down the drains or onto the paving. All waste liquid is to be contained and removed from site at the end of the day by the trader.
- i.4 All stalls shall be left clean and clear of refuse at the close of trading. A warning letting and or possible suspension will be given to traders who fail to comply.

J MAINTENANCE OF STALLS

- j.1 In the event Saunders Markets Limited provide infrastructure – Traders shall not adapt or alter any equipment fixture or fitting forming part of the stall or its services. If adaptation is requested the market manager will direct or approve.
- j.2 Traders shall only occupy and use for displaying the areas let to them under their agreement. The ‘Standing-out’ of goods outside the demised area e.g. in front, behind or to the side of a stall is at the manager’s discretion.

K PROHIBITED GOODS AND ACTIVITIES

- k.1 Goods that are counterfeit, offensive or dangerous may not be sold and the market manager has absolute discretion to determine if they represent same and to require their immediate removal.
- k.2 Airsoft/ imitation firearms are not permitted to be sold on the market.
- k.3 No 240v electrical goods may be sold except for new items still in their original packaging.
- k.4 Second-hand or used goods may not be sold, unless authorized by the Market Manager prior to attending the Market. This includes but not limited to collectibles and vintage products.
- k.5 The sale of fur is not permitted.
- k.6 The sale of smoking products/accessories is not permitted.

L HEALTH & SAFETY

- l.1 Traders are required to familiarise themselves and comply with the market operators Health & Safety Policy. A copy is available from the market manager.
- l.2 Traders are required to prepare their own Health & Safety policy in accordance with statutory requirements. Guidance can be found at www.hse.gov.uk
- l.3 Traders are required to comply with all directions in respect of Health & Safety issued by the manager. Such instructions are supplemental to and do not vary these regulations.
- l.4 There are significant Health & Safety risks posed to traders and staff when delivering and handling goods e.g., trips, slips and falls. Traders must undertake a risk assessment of their working methods and devise and implement safeguards.
- l.6 All traders are required to:
 - *Prepare their own risk assessment methods*
 - *Ensure all staff are adequately instructed in Health & Safety matters*
 - *Make personal protective equipment and clothing available to their staff*
 - *Report any accident or incident to the market manager*
- l.7 Traders must pay particular attention to the hazards of:

- *Vehicle movements – reversing of vehicles in loading and unloading bays*
- *Slip and trip hazards – trip hazards and slippery floor surfaces*
- *Electrical safety – power and lighting distribution from supply boxes*
- *Goods handling – manual handling of heavy and awkward objects*

M **ACCIDENTS, FIRST AID AND FIRE SAFETY**

- m.1 All accidents and ‘near misses’ involving traders, staff or members of the public must be reported immediately to the manager for investigation and entry into the accidents book.
- m.2 A qualified and experienced Emergency Medical Technician will be onsite during trading hours, located at the management office. Traders should familiarise themselves with its location and the identity of designated first aider staff.

N **SUPPLEMENTAL**

- n.1 No child shall be employed upon the market except in accordance with statutory legislation.
- n.2 Radios or other sound equipment may be played at the discretion of the market manager. A PPL License is required.

O **COMPLAINTS PROCEDURE**

- o.1 Complaints by traders in respect of any matters affecting the market must be brought to the attention of the Market Manager in writing, for investigation, relevant action and, if necessary, notification to the complainant of the result.
- o.2 If a complainant is not satisfied with the action taken by the Market Manager on any complaint then the matter may be referred by letter to the company Director and/ or Local Authority.
- o.3 Complaints made by a member of public against any trader will be handled in confidence and the trader first given the opportunity to resolve the dispute. If a resolution is not achieved, the manager will intervene and reach a final decision and issue a direction.

P **Power**

- p.1 Gas cylinders
The use of LPG/pressurized cylinders will not be permitted without the prior written consent of the Market Manager. All traders using bottled gas must provide a controllable discharge type, dry powder fire extinguisher situated near the appliance, displaying a current test approval certificate. Paraffin appliances are not permitted on the Market.
- p.2 All LPG/Pressurised cylinders shall be stored outside any pitch, vehicle or building connected to the appliance via securely fixed metal piping or armoured flexible piping. Only cylinders using pressure relief valves will be allowed which must be positively secured in the upright position.
- p.3 All LPG/pressurized cylinders not in use must be stored upright in the open air away from any fixed or temporary source of ignition, with suitable hazard warning signage provided, complying with the Health and Safety (Safety Signs and Signals) Regulations 1996.
- p.4 Generators. Only silent running diesel generators are permitted on the Market. No re-fuelling of generators is allowed on the Market. Generators should be located on the Market so as not to be accessible to members of the public or other unauthorised persons. All cables should be routed away from pedestrian traffic routes in order to avoid tripping hazards and must be protected from mechanical damage.

- p.5 Generators that, in the opinion of the Market Manager, are too noisy will not be permitted to be used by traders on the Market. Such generators must be switched off immediately upon request by the Market Manager.
- p.6 Electricity. The Council will endeavour to ensure an electricity supply of sufficient voltage within positions on the Market located at the Council's absolute discretion.
- p.7 The use of any electrical equipment is subject to the trader ensuring that it is in good condition, weatherproof and suitable for outside use. All connections to the supply must be made by a suitably competent person (using robust, moisture and tamper proof connections which are suitable for outside use). Suitable and sufficient earth-leakage protection should be installed and maintained as part of the fixed wiring installation. Traders must ensure that trailing cables do not present trip hazards and are suitably protected.
- p.8 There will be a £5 connection fee for any Trader requiring the use of the electricity.

Q **PENALTIES**

- q.1 Any act or omission which contravenes one or more of these Regulations may be subject to a penalty. The penalties are as follows:
- Verbal warning (confirmed in writing)
 - Written warning
 - Final written warning
 - Suspension
 - Permanent Ban
- q.2 The penalty imposed for any particular incident will depend on the seriousness of the breach and any previous penalties imposed. Acts of Gross Misconduct will result in immediate suspension pending further investigation. Gross misconduct is a legal term meaning a wrongful, unlawful or improper conduct that could lead to immediate dismissal from the workplace because it is serious enough to break statutory UK law such as threatening behaviour, use of abusive language, sexual harassment, theft or serious breach of health and safety regulations causing a risk of injury.
- q.3 If a trader is suspended by the Market Manager the facts will be reported to the Director and/ or Local Authority if applicable, within 14 days.
- q.4 The trader will be notified in writing of such a report and may, if he so wishes:
- Submit a written defence to the Director
 - Appeal in person, with the right to be accompanied by a friend or solicitor
- q.5 The Director will consider the report submitted by the market manager, and either the written or personal submission by the trader before deciding on the final outcome. The trader will be informed in writing within 7 days of submitting his defence in writing or in person of the Directors decision regarding the matter.

SIGNAGE – Trader Copy

RECEIPT for RULES

I/We confirm receipt of the market management regulations and undertake to comply with same, failure to comply may result in termination of my trading pitch:

Trader

Management

Signed.....

Signed.....

Print Name.....

Print Name.....

Date.....

Date.....

SIGNAGE – Management Copy

RECEIPT for RULES

I/We confirm receipt of the market management regulations and undertake to comply with same, failure to comply may result in termination of my trading pitch:

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