

Definitions:

Market Authority	Bromsgrove District Council to include any authorised Officer of the Council responsible for the Market/Town Centre.
Trader:	Any person authorised to sell goods in the Market.
Permanent Trader:	Any person who has traded continuously for three months (for at least 1 day a week) can apply to become a Permanent Trader. This requires the Trader to be a member of the National Market Trader Federation and advance bookings for three months. A Permanent Trader is guaranteed the same pitch and will be given first refusal on any pitch that becomes available.
NB: Reference to “Trader” within this document includes both Trader and Permanent Trader	Permanent traders are required to trade 48 weeks per annum. The trading year will run from April 1 to March 30.
NMTF	National Market Trader Federation.
Stall/Pitch	Includes standing unit, table and ground space used or intended to be used for the sale of goods.
Goods	Includes provisions, commodities and items brought to the Market for the purposes of sale.
Market zone	The areas in the High Street / Town Centre allocated for the erection of a market stall as detailed in the High Street Town Centre Plan (available from the Market Authority)
Senior Market Operative and/or Market Operative(s)	The Market Authority’s duly authorised representative.

2. General conditions:

2.1 The Market will operate a 'one trade' policy which means that there will be only one product line pitch at any one time e.g. only one fruit and vegetable stall. The Market Authority retains the option to waive this should it feel there is sufficient demand for a particular product line.

2.2 The Market Authority will provide stalls and tables for each pitch. Traders are required to keep the equipment in good order while in use. Traders may use their own equipment ONLY with the prior approval of the Market Authority.

2.3 All Traders shall ensure their pitch (including the area beneath the stall) is kept clean and free from refuse throughout the trading day. At the end of each trading day Traders are responsible for removing ALL refuse from their trading area; this will include boxes, packaging, food stuffs or any other litter or waste. No liquids (other than water) shall be put into the drains.

2.4 No live animals shall be brought onto the Market without prior permission from the Market Authority.

2.5 The success of the market is dependant upon its Traders and therefore the Market Authority will reserve the right to reallocate a pitch should a Trader fail to attend on their allocated date without a satisfactory explanation.

2.6 This policy will be reviewed annually and may be amended by the Market Authority at any time. Traders will be notified of any changes. In circumstances where significant changes are proposed a consultation period will be advertised.

2.7 Smoking Regulations

All stalls have side panels and are "substantially enclosed" for the purposes of the Smoking Regulations and therefore will be considered a Smoke Free area. This applies even if the panels are rolled down.

2.8 Control of Goods Sold.

The Market Authority reserves the right to control the type of goods sold. Traders are not permitted to sell cigarettes, tobacco, animals (domestic or otherwise), fireworks, firearms, or laser pens. Second Hand goods are not permitted unless by prior agreement.

3. Trading:

3.1 Each Trader must receive approval from the Market Authority prior to trading and as a general rule will be limited to one pitch.

3.2 Application to trade

A completed Application Form must to be sent to the Market Authority. An application will only be processed upon receipt of all of the required information.

Traders must notify the Market Authority immediately, in writing of any changes to the details provided in the Application Form.

Traders may apply for individual dates or may wish to apply to become a Permanent Trader. This requires a booking for a period of three months or more.

3.3 Trading days

3.4 Trading days are Tuesday, Friday and Saturday.

3.5 The market will be closed on all national Bank Holiday Mondays, Christmas Day and New Years Day or the equivalent nearest national holiday day.

3.6 Trading hours

3.7 Access for setting up stalls shall be no earlier than 6.00am on the day of trading.

3.8 Traders must have their pitch set up and any vehicles removed by 8.45am. Traders shall not cease trading before 4.00pm Tuesday and Friday and 4.30 pm on Saturday.

3.9 In line with the Traffic Regulation Order, vehicles are not permitted back on the High Street until 4.00pm (4.30pm Saturday).

4. Insurance and Indemnity

4.1 All Traders must have public liability insurance with an indemnity of at least £5 million. A legible framed copy of the Certificate shall be displayed on the stall in clear view.

4.2 The policy shall fully indemnify the Market Authority against any claim for damages arising from the negligence or fault of the Trader or his employees.

4.3 The Market Authority does not accept liability for loss of or damage to a Trader's goods or property. Traders should be aware of the weight limitations for their stall.

5. Behaviour and Conduct of Traders.

5.1 Traders must give at least 2 weeks notice of intended absence other than in the case of illness.

5.2 Traders will be held responsible for their actions and those of their employees.

5.3 Unacceptable behaviour will not be tolerated. This list below is not exhaustive, but provides examples of unacceptable behaviour:

- Bullying, intimidation and the use or threat of violence;
- Sexist, racist, foul, threatening, or abusive language;
- Defamatory remarks about the Market, other Traders or the Market Authority;
- An act of dishonesty or indecency or:
- Any act likely to bring the Market or Market Authority into disrepute.

5.4 The Market Authority will have regard to the circumstances of each complaint or incident and the Code of Conduct outlined in Section 8 in determining what amounts to unacceptable behaviour.

6. Termination of registration

6.1 A Trader or the Market Authority may terminate the authority to trade by giving one week's written notice.

6.2 The Market Authority may terminate a Trader's authority with immediate effect should the Trader fail to comply with the Regulations. Such notification shall be in writing with details of the breach of the conditions.

7. Stalls:

7.1 The High Street is designed for stalls only. The use of vehicles or other forms of sales platform shall be subject to express permission being obtained from the Market Authority and may be restricted to Registered Zones detailed on the Town Centre Plan.

7.2 Stalls are supplied and erected by the Market Authority. Layout details and pitch sizes are available from the Market Authority.

7.3 All stalls shall trade from *three* sides to face shop fronts unless given permission for otherwise by the Market Authority. Where this is not possible due to weather conditions, any covering sheet must be clear to provide a visual aspect to the shops.

7.4 'Skirts' must be used.

7.5 Traders shall use only the stalls and associated equipment allocated to them and shall restrict their stall and displays etc to within their pitch area.

7.6 Traders shall not adapt or alter any fixture or fitting forming part of the stall and shall not remove any part of the stall without the permission of the Market Authority.

7.7 Significant care should be given to the tidy appearance and layout of stalls. In the event the Market Authority considers that the appearance is unacceptable then the Trader will be instructed to make appropriate changes. Repeated failure to adhere to such request may lead to termination of a Trader's authority to trade.

7.8 Stalls can arrange for an electricity supply with the Market Inspector subject to payment of a surcharge and the following limits:

- a. Non food stalls – 5 amps maximum
- b. Food and catering stalls – 16 amps maximum (certain pitches only)

7.9 Payment for stalls will be in line with the prevailing charges and must be made at least a week in advance.

7.10 Requests for refunds for non-attendance due to ill health MUST be accompanied by a Doctors Note.

8. Code of conduct:

8.1 If a complaint is received regarding a Trader or one of their employees the Market Authority will notify the Trader and advise them of the details of the complaint. The Trader will be given an opportunity to respond to the complaint.

Having regard to the nature of the complaint and the Traders representations, the Market Authority may:

- Take no further action against the Trader,
- May issue a written warning to the Trader with regards to their conduct or that of their employee.
- Give the Trader notice to leave in accordance with paragraph 6, either with one weeks notice or with immediate effect if such action is considered appropriate.

9. Vehicles:

9.1 Entry onto the High Street shall be via the barrier gates at the New Road end of the High Street only and must comply with the prevailing Traffic Regulation Order – see 3.8/3.9 *Trading Hours*.

9.2 Traders must ensure that access is not restricted when setting up/taking down the stalls.

9.3 Vehicles must not exceed the maximum speed limit of 5 m.p.h. in the High Street.

9.4 Any spillages of oil, fuel etc must be reported to the Market Authority and cleaned up immediately. The filling/emptying of fuel tanks is strictly forbidden.

9.5 Traders vehicles should be parked in the designated area as specified.
