



SWAFFHAM TOWN COUNCIL

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Council Office open Mon, Tues, Thurs 8.45am –2pm, Friday 8.45am-1pm (closed Wednesday)

SWAFFHAM MARKET **RULES AND REGULATIONS** **2009**

These Rules and Regulations are made by the Swaffham Town Council to govern their Market held each Saturday.

Interpretation

In these Rules and Regulations:-

- “the Council” - means the Swaffham Town Council
- “Goods” - include provisions, commodities and articles brought into the Market for the purpose of sale.
- “Market” - means the Market managed by the Town Council at Swaffham including the Auction.
- “Market Hours” - 06.00 to 18.00
- “Market Officers” - means the Market Superintendent, or other persons appointed by the Council to exercise general management, supervision and control of the market.
- “Market Place” - means the place in Swaffham where the Market is held.
- “Sell” and “Sale” - offering and displaying goods for sale.
- “Stall” - includes any temporary structure to be used as premises for the sale of goods on market days.
- “Stall Holder” - means the Licence Holder or such other person as may be authorised by the Council to be in charge of the site for the day.
- “Vehicle”
wagon - includes any mechanically propelled vehicle and any cycle, tricycle, or trailer.

Regulation of Traffic and prevention of obstruction

1. (a) No stallholder or auctioneer in charge of a vehicle shall allow it to be halted in any avenue, passage or roadway in the Market Place, or in the immediate approaches thereto, for longer than is reasonably necessary for the loading or unloading of goods, which shall be permitted only prior to 9.00 hours and after 15.00 hours all year round. The said time limits to be varied only with the consent of the Market Officers.

(b) No stallholder or auctioneer shall bring into the Market Place or the immediate approaches thereto or allow standing thereto, any vehicle, goods or receptacle for goods in such manner as to cause obstruction.

(c) Any vehicles left on the market place after 9.00 hours should be placed within the boundary of the licence holders' pitch (all vehicles left within the boundary of the market pitch or auction site should be with prior consent of the market officers).
2. No stallholder or auctioneer shall cause or permit any goods or equipment to be placed on any stall in the Market Place so as to project beyond the limits of the site unless with the prior consent of market officers.
3. No stallholder or auctioneer in the Market Place shall display, stack or hang any goods on or from such stall at a height which in the opinion of the Market Officers is dangerous to traders and/or the public. Neither shall he/she use any tree or tree guard in the Market Place for the purpose of displaying or hanging any goods or notices.
4. No stallholder or auctioneer shall wilfully obstruct, disturb or hinder any person in the proper use of the Market Place or of the immediate approaches thereto. All traders should have mutual respect for other traders using the market place.
5. Notwithstanding anything contained in these regulations no vehicle shall remain on or adjacent to site 1-13 on the War Memorial Site between 9.00 hours and 15.00 hours all year round.

Authority to use space

6. No stallholder or auctioneer shall occupy or take possession of any stall space or deposit or cause to be deposited and goods, equipment or utensils on any stall space. Unless such space has been duly let or otherwise allocated by a Market Officer for the use of such person. If a stallholder does not adhere to this rule and has received three warnings in a six month period, that stallholder will have his licence revoked and will not be allowed to trade on Swaffham Market.
7. The Market Place is authorised to be used for Market Trading only between the hours of 06.00 and 18.00 on Saturdays. No Licensee may occupy his/her site other than between those hours.
8. If a licensed stallholder or auctioneer is not in position by 7.30 hours on a market day the space may be let to another applicant, who shall not sell the same class of goods as the regular stallholder. Unless by prior agreement with the market officers. All stallholders must give 1 weeks notice to market officers of any impending holidays to be taken. Similarly, market officers must be notified of any sickness or unforeseen circumstances for non attendance by 07.30.
9. The business of the site on a Market Day shall be conducted by the Licensee in person. Except where the Council or the Market Officer has given specific authority for a named person or persons to deputise for the Licensee.

10. Payment of Licensed holder's accounts must be paid to Swaffham Town Council by the 20th of a calendar month, one month in advance.
11. All Licensed holders agree that Swaffham Town Council may carry out a credit check as and when required.
12. In the event of a stallholder or auctioneer ceasing for any reason to hold a Licence in respect of any site on the Market he/she shall not be permitted to return. This would be as a Licensed or as a Casual Trader in the same or similar goods for a period determined by the Town Council from the date of the termination.
13. No stallholder or auctioneer has the right sell their pitch unless they have been a licensed trader for a period of 5 years subject to the approval of the Town Council.

For the Preservation of Order

14. The occupier shall at all times during his occupation keep or cause to be kept the said site and its surroundings in a clean and tidy condition. They shall ensure that all refuse in connection with their site shall be taken away by themselves at the end of the market day.
15. Stallholder or auctioneer may display their names in a prominent position on their stalls or if required to do so by market officers.
16. No stallholder or auctioneer shall post or display any bill, placard or poster, other than a description of goods, in or on any part of the Market Place unless required to do so by law.
17. The Licensee shall at all times during his occupation comply with any directions regarding his use of the site which may from time to time be given by the Council through its Market Officers.
18. The Council shall not be liable for any damage or loss sustained by the Licensee his servant or agents in connection with the use of the site on the Market Place. The Licensee must indemnify the Council against any claims made against the Licensee arising from his/her use of the site.
19. All Licensees are required to have current Public Liability Insurance and be made available for inspection annually or as requested by market officers. All stallholders must produce proof of the Public Liability Insurance within 14 days of a request.
20. Complaints regarding market trading misdemeanours or contraventions of the Market Rules and Regulations must in the first instance be made verbally to market officers. Any unresolved issues can than be drawn to the attention of the Town Council via the Town Clerk in writing.
21. Any Licensed Trader failing to trade on a regular basis to the detriment of the market can be referred to the Market Committee or Town Council for the removal of their market rights or licence.
22. The Council reserve the right to automatically suspend market rights if a license is two months in arrears. If a suspension of market rights occurs the Council has the right with immediate effect to exclude a Licence Trader until such a time the issue is resolved by the Market Committee or Town Council.
23. In the event of a Licence being terminated by the Council the Licensee may, within seven days, give notice of appeal in writing to the Council. If such notice of appeal is properly served and received then the Licensee shall be entitled to continue trading from the site until such time as the Council has considered the appeal and notified the Licensee of the decision taken, which shall be final.

Public Health and Hygiene

24. No stallholder or auctioneer shall, to the danger of any person, keep, store or sell any gun-powder, fireworks or other explosive substance, or any naphtha bottled gas, petroleum or paraffin oil or other flammable substance in the Market Place.
22. No stallholder or auctioneer shall keep any dog or other animal at his stall, unless the Market Officer gives his consent.
25. Stallholders or auctioneer shall, where applicable, comply with the current legislation relates to offering and displaying goods for sale.

Sick Notes

26. A licensed trader can apply for a rebate of rent when he/she has been off sick for 4 weeks or more. A doctor's note would have to be supplied to the committee for the request to be considered.

Casual Trader

27. A casual trader is a stallholder who is selling goods without a market licence with the permission of the Market Officer. A casual trader will be permitted to trade on Swaffham Market for a six week period. When the six weeks comes to fruition that stall holder must apply for a licence. If that stallholder does not apply or has been turned down for a licence that stallholder will cease to trade on Swaffham Market.
28. A casual traders pitch size is up to 20ft frontage depending on availability and will be at the discretion of the Market Officer. If a casual trader requires a pitch larger than 20ft than the charge will be £1 extra for every foot required.