



SWAFFHAM TOWN COUNCIL

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SWAFFHAM MARKET **RULES AND REGULATIONS**

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”

08.00 to 18.00 - maximum hours, although the following currently applies:

08.00 to 14.30 October to March - Winter Hours – No stall to close before 14:00 with no vehicle movement before 14.30

08.00 to 15.00 April to September - Summer Hours - No stall to close before 14:30 with no vehicle movement before 15.00

“Market Officers”

means the Market Officer 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 pitch and/or 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”

includes any mechanically propelled vehicle and any cycle, tricycle, wagon 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 08.00 to 14.30 October to March - Winter Hours, 08.00 to 15.00 April to September - Summer Hours. 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 08.00 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 07.30 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 the Market Officers of any impending holidays to be taken. Similarly, Market Officers must be notified of any sickness or unforeseen circumstances for nonattendance 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 a Market Officer has given specific authority for a named person or persons to deputise for the Licensee.
10. No stallholder shall trade from the pavement.

Payment

11. Payment of Licensed holders' accounts must be paid to Swaffham Town Council by the 15th of a calendar month, following issue of Invoice. Payment after this date will mean that any discounts will not apply. If an account falls into arrears an administration charge of £25 per reminder/item of correspondence will be charged.
12. All Licensed holders agree that Swaffham Town Council may carry out a credit check as and when required.

Licence Bond

13. A Licence bond, equal to 1 month's trading is applicable to:

- All new approved Regular Licence Traders
- Existing Regular Licenced Traders when they change conditions on their licence, i.e., moving pitches, expanding/decreasing pitch size etc

The Licence Bond is refundable in full should a trader no longer wish to trade, subject to 1 months' notice being given and there being no arrears or dispute on the licence or pitch.

14. Traders will be allowed to change their licence conditions once per calendar year free of charge. An admin charge of £25 is applicable for any changes to licences where new licence paperwork is required; including moving pitches, size change, change of use etc (where a licence bond was already in place).

Licence Changes

15. Stallholders must apply in writing to make changes to their licence – size, location, licensee etc. Where necessary approval may be required by the Market Committee before any changes can be approved and new licence paperwork issued.
Until approval is obtained by the office or Market Committee the changes cannot be put in place and any trader doing so could be considered in breach of their licence.
16. Stallholders must give one months written notice should they wish to cease trading. 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.
17. No stallholder or auctioneer has the right to 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

18. 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.
19. 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.
20. 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.

21. 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.
22. All Licensees are required to have current Public Liability Insurance and relevant Food Hygiene Certificates 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.
23. Complaints regarding market trading misdemeanours or contraventions of the Market Rules and Regulations must in the first instance be made verbally to a Market Officer. Any unresolved issues can then be drawn to the attention of the Town Council via the Town Clerk in writing.
24. 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.
25. 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 Licensed trader until such a time that the issue is resolved by the Market Committee or Town Council.
26. 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.
27. In order to ensure the viability of Swaffham Market the Town Council will ensure that the market offers an extensive range of goods but does not have an excess of regular traders selling any particular type of goods. A list detailing the preferred number of traders selling a particular type of goods will be maintained for regular traders. (Subject to current footfall.)
28. One free stall space 3m x 3m is granted to Swaffham based local charities or not for profit community groups, clubs, or associations on four occasions in any calendar year (i.e., once in each quarter Jan-Mar, Apr-Jun, Jul-Sep and Oct-Dec). Managed on a first come first served basis, one free stall space is allocated each week at the Market.
29. Each application is managed by delegated authority to the Deputy Clerk as Lead Officer for the Market and the Market Superintendent, with any borderline applications or appeals to be referred to the Market Committee.

Sale of Alcohol

30. Any Licensed Trader selling alcohol to display challenge 25 posters at their stall.
31. Any Licensed Trader selling alcohol to keep a refusal log, this is to be made available upon request to DPS, Market Supervisors or Police and Licensing Officer.
32. Any Licensed Trader selling alcohol should be fully aware of the forms of photographic ID accepted as part of the checks.
33. DPS or market supervisors to check and ensure the stalls selling alcohol are following the rules above and check refusals are being logged.

Public Health and Hygiene

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

Sick Notes

- 37. 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 Town Council for the request to be considered.

Casual Trader

- 38. A casual trader is a stallholder who is selling goods without a Market Licence with the permission of the Market Officers. A casual trader will be permitted to trade on Swaffham Market for a period of 4 to 8 weeks (until it can be considered at a market meeting.) When the period comes to an end that stallholder 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.
- 39. A casual trader's pitch size is up to 5m (16ft) frontage depending on availability and will be at the discretion of the Market Officers. If a casual trader requires a pitch larger than 5m (16ft) the charge will be in line with current pricing regulations for every additional foot required.
- 40. The Market Committee do not rent market stalls for the purpose of political campaigning or for protest groups.

Swaffham Market Tenant Mix

In order to ensure the viability of Swaffham Market the Town Council will ensure that the market offers an extensive range of goods but does not have an excess of regular traders selling any particular type of goods. A list detailing the preferred number of traders selling a particular type of goods will be maintained for regular traders. The detail of the Tenant Mix is shown below. (Subject to current footfall.)

Market Place Goods Traded & Suggested maximum number of stalls			
Antiques/Collectables, Bric-a-brac	5	Household textiles, soft furnishings, material	2
Army Surplus	2	Ice Cream (seasonal)	2
Aromatherapy Products	2	Jewellery	2
Baby Clothes	2	Key Cutting, Locks	2
Bags, suitcases	2	Knitwear	2
Books / magazines	2	Ladies and gents' socks	2
Cakes, pies, pastries, Bread	2	Ladies and Mens clothing and fashions	2
Car Products	2	Meat	2
Carpets and rugs	2	Mobile phones and accessories	2
Cheeses	2	Net curtains	2
Children's clothing	2	Nightwear	2
Coins, badges and memorabilia	2	Outsize Clothing	2
Crafts	2	PC & Console games	2
Crockery, cutlery, kitchenware	2	PC hardware / software	2
Cut flowers, plants, shrubs	3	Pet foods	2
Cycle spares	2	Pictures, frames, portraits	2
Dance Wear	2	Prams/Pushchairs	2
Double Glazing	2	Reading Glasses	2
Doughnuts	2	Shoes, footwear	2
Eggs, chicken, poultry	2	Smoking Accessories	2
Electrical Household Products	2	Snack bars	2
Engraving (Not key cutting)	2	Sports Wear	2
Face and Body creams and lotions	2	Sports Wear	2
First Aid Equipment	2	Stationery	2
Fishing tackle	2	Sunglasses	2
Fresh fish	2	Sweets, crisps, drinks	2
Fresh Olives	2	Tapes, videos, cassettes, DVDs, Vinyl	2
Fruit and veg	3	Tools	2
Garden Accessories/Furniture	2	Toys and models	2
General household goods	2	T-shirts	2
Greeting cards	2	Underwear	2
Haberdashery	2	Vax, Hoover spares and parts	2
Hair care, perfume and cosmetics	2	Watches, batteries	2

Hand Made Candles	2	Wholefoods	2
Hand Made Soaps	2	Window blinds	2
Hats and Caps	2	Wool/Knitting Patterns	2

Reviewed and agreed 18 May 26