



**BODMIN TOWN COUNCIL**

**REGULATIONS FOR THE OPERATION  
OF BODMIN TOWN MARKET**

## 1. MARKET DAYS

Normal Market Days are Saturday.

Emergency conditions may require an adjustment to this rule. The Town Clerk reserves the right to close the Market, or any part thereof, before or during the Market day if thought necessary through adverse weather or insufficient Traders. The Traders shall not be liable for any rent in the event of such closure.

## 2. ACCESS TO FACILITIES

The Market in which the facilities are available are 8.00 am until 3:00pm unless previously agreed with the Town Clerk. Traders should not cease trading before this time unless permission is given from the Duty Officer of Bodmin Town Council. Traders are required to clear all merchandise and other articles, including vans, from the Market within 60 minutes of closing time. Bodmin Town Council reserves the right to remove any vehicle or mobile unit remaining after this time.

## 3. REGULAR STALL ALLOCATION

### a) Trader Contact Details

Traders must provide their full contact details to the Town Council and undertake to clearly display their business name, postal address and telephone number at all times when trading. Email addresses where available should also be displayed. This can be in the form of business cards, leaflets, packing or simply a notice.

### b) Applications

These should be made on an official application form obtainable from the Bodmin Town Council reception. Applications should be specific regarding the type of goods to be sold e.g. 'country clothing' or 'baby clothing'. General descriptions such as 'clothing' or 'fancy goods' are not sufficient. Applications from Traders for a change of line, additional lines or additional stalls should be made in the same way. The Community Services Committee will be consulted on any potentially contentious new applications and will monitor goods being sold.

### c) Waiting Lists

A waiting list may be formed and will comprise of data from the completed application forms, and permanent stall allocations will only be made from this list. The Community Services department will notify applicants of any progression of the application.

### d) Type of Goods Sold

Stall allocation is based on the type of goods sold and the quality of stall presentation allowing no undue duplication and taking into account the date of application and the maintenance of the widest possible variety on the Market. In accordance with our stall allocation guidelines.

### f) Regular Pitch Allocation

This is to be decided by the Community Services Officer. Vacant pitches will be let on a casual basis until permanent allocation is decided.

### e) Spreading Over

Traders may, with the Community Services Officer's permission, occasionally spread goods over to a neighbouring stall that is vacant through the absence of a trader. Occasional 'spreading over' is charged at £5.00 per day rent. Casual Traders' pitch allocations will be given precedence over existing Traders spreading over. Regular spreading is not allowed as traders requiring extra space on a regular basis need to be allocated and licensed accordingly.

## 4. LOCAL CHARITIES, ORGANISATIONS AND VOLUNTARY GROUPS

A limited number of free spaces will be available for local groups. These should be requested using the application form, to ensure fair and equal access these will be allocated after taking into account

the number of times they have previously attended the market. In exercising discretion, the Town Clerk will take account of the goods offered by the regular traders on the day in question and the goods to be offered by the casual traders. If there is a significant duplication the Community Services Officer may refuse facilities to the casual trader. A list of casual traders will be kept and each time a trader attends the market it will be noted. If traders do not agree to become regular traders when invited by the Community Services Officer, they will go to the end of the new traders waiting list.

#### 5. STANDARD REGULATIONS

All Traders should keep fully aware of any current statutory legislation e.g. Health & Safety that may affect an open market, and should comply with such regulations at all times whilst trading on Bodmin Town Market.

#### 6. NEW TRADERS

When a permanent stall or pitch becomes available the next appropriate trader on the waiting list will be invited to trade. Upon the completion of 3 consecutive market days on the same permanently vacant stall the Trader will be invited to become regular from the fourth month at the discretion of the Town Clerk. If the new trader does not wish to continue, the pitch will be offered to the next appropriate trader on the waiting list. New Traders may also be invited to trade on casual pitches, available due to holiday/sickness etc., the Market Officer will advise the trader that this is not a permanently available pitch, and the trader will have no right to become a regular trader.

#### 7. PAYMENT

All payments for market pitches must be paid one week in advance or the pitch will be released on a casual basis.

#### 8. HOLIDAYS CONCESSION

A concession of two complete weeks holiday per year without charge will be granted to Regular Traders subject to written notice of at least three weeks and provided that no more than a total of 5 stalls are vacant on any one trading day as a result of this concession.

#### 9. CHARITY STALLS

A limited number of pitches may be provided free of charge to any registered charity local 'not for profit' (NPO) organisation that is not a registered charity at the discretion of the Town Clerk. All charity stall holders are required to clearly identify that they are collecting for a charity or NPO. Any person receiving a stall free of charge will be bound by the same stall allocation guidelines as paying traders.

#### 10. NON ATTENDANCE

Any trader who misses a Market due to illness, accident or any other unforeseen problem should contact the Community Services Officer by phone on 01208 76616 as soon as they are aware they will not be attending, and to inform the Duty Officer when they will be attending the Market for trading again. Council reserves the right under certain circumstances to re-allocate stalls after absence through sickness.

11. TERMINATION The Council shall have the right to terminate this Licence without notice on the following grounds:

- a) If the Stall holder shall be adjudged bankrupt or have a receiving order made against him or make a composition or arrangement with his creditors or suffer distress or execution to be levied on his goods
- b) If the Stall holder or his employees act contrary to the Licence or Market Regulations.
- c) If complaints are upheld after investigation concerning conduct.

## 12. ELECTRICITY AND GAS SUPPLY

Traders may not install electrical equipment without the permission of the Town Clerk who will determine the terms and conditions of use of the Council's electricity supply which is open to review by him/her at any time. Traders must only use the supply available for the operation of lighting, tills, scales, refrigerators and other fittings associated with market stalls. All electrical equipment must be safe and sound to the requirements of statutory regulations such as the Health & Safety at Work Act. Permitted maximum amperage for electrical equipment is 10 amps for Vans, 5 amps for all other stalls unless otherwise authorised by the Town Clerk. Fuse capacity must not be altered. In no circumstances should cables be left on the ground. Electricity will be chargeable at £2.00 per trading day. If a trader does not wish to use electricity this charge will not be applied. ONLY ELECTRIC LIGHTING IS ALLOWED ON STALLS. NO PORTABLE GAS APPLIANCES ARE ALLOWED WITHOUT THE EXPRESS PRIOR PERMISSION OF THE TOWN CLERK IN WRITING.

## 13. DISPOSAL OF REFUSE

All stall holders are responsible for removal and appropriate disposal of their waste materials. Traders are required to keep stall areas and the avenues adjoining the stalls free from refuse and litter of any kind at all times, and to take all precautions to prevent litter from being blown about.

## 14. CONTACT WITH THE TOWN COUNCIL

Course of action open to Market Traders who wish to contact the Town Council:

- a) In the first instance all problems shall be brought to the attention of the Community Services officer or Officer on Duty.
- b) If you are unable to obtain a satisfactory solution to your problem, please put your concern to the Town Clerk in writing.
- c) If you are still dissatisfied, please put the matter before the Town Council's Community Services Committee.
- d) It is agreed that decisions of the Town Council will be binding on all parties.

## 15. FORMAL TRADER COMPLAINTS AND COMPLIANCE

A formal trader complaints and compliance system is part of market procedures and each trader attending the market accepts the use of the system as part of these regulations and the licence conditions.

## 16. INFLUENCING THE BUSINESS OF FELLOW TRADERS

- a) No products may be advertised for sale that are not held on the stall that day and all items that are offered for sale must be specified within the Second Schedule of a traders licence. Any trader proven to be offering for sale or offering to source any items sold by another licensed trader will be subject to the compliance process.
- b) Due consideration will be given to the 'spirit' of a traders actions. If the Duty Officer or the Town Clerk consider a traders actions to be negatively affecting another traders business, even if said action does not directly breach another term or regulation, then the compliance process may still be invoked

17. REGULATIONS REVIEW These Regulations may be subject to review as the Council shall see fit.