

Mansfield District Council

Market trader's handbook

All you need to know about trading on Mansfield Market

Date April 2016

www.mansfield.gov.uk



Mansfield
District Council

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INTRODUCTION

1. About the market

Mansfield's market charter was first granted in 1227 and there has been a tradition of great outdoor markets in the town ever since.

Mansfield District Council ("the Council") operates Mansfield Market ("the Market") five days a week with general markets on Thursday, Friday and Saturday and a mixed market on Tuesdays and Wednesdays between the hours of 10am and until 4pm.

The Council is very keen to support local market traders and encourage new people to take up market trading. The Council provides introductory discounts for new traders as well as discounts for traders taking up multiple stalls and reduced rates through the winter months.

Throughout the year the Council runs events and campaigns to promote the Market including a two week 'Love Your Local Market' campaign. We encourage residents and visitors of all ages to shop on the Market and promote the Market as a great place to buy a wide range of quality goods.

The Council's Town Centre Management Team ("the Management") manages the day to day running of the Market. They are on hand to answer any questions you may have and help ensure your trading experience and the experience of your customers is excellent.

The Council has developed this Market Trader's Handbook, which forms part of the terms of the Licence agreement between the Council and you, as a market trader the Council reserves the right to amend this handbook at any time, and will notify you of any changes at least 7 days before the changes are implemented.

Definitions

Casual Trader: Casual Traders can be allocated a vacant stall on the day provided one is available.

Casual Trader Allocation Time: 8.00 am on the day of the Market or 7.00 am, if booked in advance.

Regular Trader: guaranteed a specific stall and pays half rent for that stall if they do not attend.

2. Casual Traders

2.1 If you are a new trader you can attend the Market as a Casual Trader. This means that you can be allocated a vacant stall on the day if one is available.

2.2 A Casual Trader cannot stand for more than 8 weeks, in a 12 month period as a Casual Trader. After 8 weeks you will be required to become a regular trader.

2.3 If you are a Casual Trader who is selling the same goods as a Regular Trader you may not be allocated a vacant stall. This will be at the discretion of the management.

2.4 As a Casual Trader you have no right to a stall unless there is a vacancy that no other Regular Trader wants. The stalls are allocated on a first come first served basis. The stall is for that day only.

2.5 Before you start trading on the market, you will need to complete a Licence for Casual Trader application. You can complete the form on your first day of trading. Alternatively the form is available to download from www.mansfield.gov.uk/markets or you can call **01623 463 073** or, email tcm@mansfield.gov.uk to request a copy. You can also collect one in person from the Town Centre Management office.

2.6 By signing the Licence for Casual Trader you are agreeing to comply with all the Licence Conditions and the terms of this Handbook. .

2.7 Prior to being granted a Licence you will need to provide photographic ID and documentary evidence as proof of name and address, eligibility to work and evidence that you hold public liability insurance. If you employ (paid or unpaid) members of staff you will also need to provide evidence of your employer's liability insurance.

You will be allowed to stand only once without insurance, provided you complete the **Stallholder Indemnity Agreement**. A casual trader must provide insurance details on every occasion.

2.8 The Management reserves the right to refuse a trader a Licence to trade on the Market if they feel that a particular line of goods is already over represented on the Market. They may also allow the retention or introduction of a particular trade to an area of the Market to benefit the Market as a whole.

2.9 During the 6 weeks before Christmas no Casual Traders will be allowed to trade the same goods as Regular Traders. This is at the discretion of the Management.

3. Regular Traders

3.1 Regular Traders are also known as licenced traders.

3.2 A Regular Trader will need to complete a **Licence for Regular Trader application** prior to standing the Market. This is available to download from www.mansfield.gov.uk/markets or you can call **01623 463 073** or, email tcm@mansfield.gov.uk to request a copy. You can also collect one in person from the Town Centre Management office.

3.3 By signing the **Licence for Regular Trader** the Regular Trader is agreeing to comply with all the Licence Conditions and the terms of this Handbook.

3.4 The Licence entitles the Regular Trader to sell specific goods on their allocated stalls.

3.5 Regular Traders must pay a retention fee if they do not attend which is ½ the charge for the stall on that day. See clause 6.1 for details of the current charges,

3.6 Regular traders must wear a name badge at all times.

3.7 The Licence shall be determinable by providing one week's notice in writing.

4. Vacant stalls

4.1 Permanent stalls that become vacant will be advertised in the Markets Office and on the council's website for a two week period to allow expressions of interest through the completion of a **Vacant Stall Application** form.

4.2 Casual Traders can also express an interest in becoming a Regular Trader and will be considered after the Regular Trader applications. In order to apply a Casual Trader must also complete a Vacant Stall Application.

4.3 Each application will be considered taking into account the length of service, proximity to stalls selling similar goods, or in accordance with 2.9.

4.4 A Regular Trader takes precedence over a Casual Trader in the allocation of vacant stalls. If no Regular Trader wants the vacant stall, the stall will be offered to the longest serving Casual Trader who has expressed provided they meet the relevant criteria.

5. Arrival and trading times

5.1 The Market trades from 10am until 4pm unless otherwise authorised by the Management.

5.2 All Regular Traders must be at their stall by 8.00am. Any stall not occupied by 8:00am can be re-allocated. Any Regular Trader can opt to transfer to another stall which is vacant or take additional stalls before the empty stalls are allocated to Casual Traders at the beginning of each day. They must ask the Management for permission first.

5.3 If a Regular Trader is unavoidably delayed, their regular stall may be reserved. However, the Management must be informed before the Casual Trader Allocation Time.

5.4 At the Casual Trader allocation time a member of the Management will meet the Casual Traders at the front of the Old Town Hall where they will be given a Licence for Casual Trader application to complete prior to being allocated a stall.

5.5 Traders will be expected to actively trade until 4.00 pm, unless instructed otherwise by management.

5.6 Vehicles can be brought onto the Market for continuous loading and unloading. All vehicles must be removed by 9:30am and must not return until 4pm unless you have permission from the Management.

5.7 You can request a car park pass from the Management which will give you free parking in the Robin Hood Line car park. Regular Traders receive a long term pass whereas Casual Traders need to request a pass when they are allocated a stall.

6. Rents

6.1 Current market rents are agreed by the council and a copy can be found on the Mansfield District Council website.

A copy of the current Fees and Charges can be obtained from the Town Centre management upon request.

6.2 The Council may review these charges at any time with appropriate consultation and will notify traders of the charges by giving them one month's notice in writing.

6.3 It is the trader's responsibility to pay all charges that are owed on each trading day. The rent charges will be collected by the Management.

6.4 A trader must pay any outstanding debts during the allocation time before trading.

6.5 New Regular Traders (who have not traded on the Market within the past 12 months) who stand for up to 3 months continuous paid trading receive one week free for each month.

6.6 Where a Regular Trader has more than one stall on one day, discounts may be applicable.

6.7 If an existing Regular Trader recommends a new Regular Trader who stands on the Market for at least 4 months that Regular trader will receive one stall free trading for 3 days.

6.8 Additional charges may apply when traders are authorised by the Management to use extra space, boards and trestles.

7. Stalls

7.1 The Council provides market stalls complete with canopies. Stalls can be provided with or without counter boards.

Counter size: 10ft long x 4ft wide (approximately)

Height from floor to counter: 3ft

7.2 Each stall is provided with lighting under the canopy. You must not connect any unauthorised appliance to the Council's electricity supply.

7.3 Stall boards must not be placed on the ground or be used for any purpose other than displaying goods. Stall boards must not be removed from other stalls without prior consent from the Management.

7.4 Only authorised representatives or contractors of the Council can alter the position or nature of the stalls or fix any additional equipment to them.

7.5 You must confine your goods to the stall as no encroachment will be allowed beyond the edge of the canopy. Stallholders should ensure that their goods are laid out in such a manner that doesn't cause any obstruction to their neighbouring stalls and doesn't obstruct the movement for members of the public.

7.6 Setting up of extra stalls is not allowed unless you have been given prior permission by the Management.

7.7 You are not permitted to play music or use PA systems on the stalls.

7.8 No stalls or pitches will be available on any day the Council closes the Market, due to public holidays or special events.

7.9 The trader is responsible for the Health and Safety of all persons attending your trading spaces. You must make sure that there are no trip or slip hazards and that all equipment and goods are secure and not at risk of falling.

7.10 You shall repay to the Council the cost of any damage to the Market Place caused by the Licensee or his employees.

7.11 The allocation of a stall in the Market by the Management is personal to you as the Licence holder and is not transferrable. You must not sub-let the stall.

7.12 You must not use the stall or standing for pitching or mock-auction without the prior permission of the Management.

7.13 If less than 6 stall holders attend the Market, including the food vendors then it will be classed as a 'non-market' and no rents will be charged.

8. Refuse and waste

8.1 You must keep your stall and the immediate surrounding areas neat and tidy and clear of refuse and waste.

8.2 At the end of the Market day you should ensure that the stall is left clean and all waste is disposed of appropriately before leaving site.

8.3 If you dispose of waste in an unauthorised way you will be reported to Environmental Health and the Neighbourhood Wardens.

9. Selling food

9.1 Anyone selling food on the Market must comply with current legislation and must meet the standards of the Council's Environmental Health service who can be contacted on 01623 463 189.

9.2 You will need to provide details of the local authority which your food business is registered with and your current Food Hygiene Rating when making your application for a stall.

Please note: we will only accept food vendors on the market with a Food Hygiene Rating of 3 or above.

10. Standards of Trading

10.1 Goods not welcome on the Market include stolen goods, counterfeit goods, unsafe goods, tobacco products (duty unpaid), unauthorised alcoholic goods, offensive weapons, fireworks, legal highs and items of a pornographic nature. Any concerns or suspected breaches of this clause will be reported to Nottinghamshire Police and/or Trading Standards whichever is the most appropriate authority.

10.2 You can only use the trading space for the selling of authorised and legal commodities only. Authorised commodities are those included on your Licence only. You must get written permission from the Management to change the authorised commodities.

10.3 All body piercing and tattoo operations on the Market are strictly prohibited.

10.4 All goods sold must be legal and:

- Be the lawful possession of the Trader
- Be lawfully offered for sale by the Trader
- Be sold as described - verbally, on the label, packaging or otherwise
- Be of satisfactory quality
- Be fit for any particular purpose made known by the Trader
- Not be sold to anyone underage if it is illegal to do so

10.5 The Trader must conduct their business professionally and in a business-like manner and without interference with the business of any other Trader.

10.6 The Trader shall be responsible for the actions of any of his employees while they are engaged on the stall and shall ensure compliance by them with these conditions.

10.8 All Trader and their employees are required to show courtesy and good manners to fellow Traders, Council Employees, Councillors and members of the public at all times and in all circumstances treat them with the dignity and respect that they would expect to receive themselves.

10.9 Aggressive behaviour, intimidation, swearing, the use of foul or abusive language is offensive, inappropriate and is unacceptable. Likewise, behaviour exhibiting discriminatory and prejudicial attitudes is not acceptable.

11. Holidays Allowance

11.1 Regular Traders are entitled to five days holiday each year for each day that they are licenced to trade on the Market in a week. For example, if you are licenced to trade three days a week, you are entitled to fifteen days holiday a year. The holiday year runs from 1 April until 31 March. You will not pay the stall rent when using your holiday allowance provided you inform the Management one week advance.

11.2 Regular Traders who do not wish to take any holiday allowance, are entitled to one day of free trading each year for each day that they are licenced to trade on the Market in a week. For example, if you are licenced to trade three days a week, you are entitled to three days rent a year. Traders must express their intent to use this option to the Management.

11.3 Regular Traders that are unable to attend the Market due to ill health must notify the Market Supervisor on 01623 463818 prior to the Casual Allocation Time on each day of absence. During the period of sick absence you will still be liable for half of the stall rent as detailed in clause 3.5. If you are unable to trade due to a long term illness please contact the Management. We will consider each case on an individual basis and you may be required to submit a Doctor's note.

11.4 Regular Traders are allowed to be absent due to bereavement on 2 occasions between 1 April and 31 March each year. You should contact the Market Supervisor on 01623 463818 as early as possible to notify them of your absence. These absences will not affect your Licence and you will not be charged a retention fee.

12. Breaking the rules

12.1 The Council has the right to terminate your licence immediately if you and/or your employee(s):

- Behave in a way that the Council believes amounts to a serious breach of the standards of trading detailed at section 10 above;
- fail to occupy the stall for three consecutive weeks without notifying the Management prior to your non-occupation and without reasonable excuse;
- offer or display food for sale that is unfit for human consumption; or
- are convicted of any offence under the Weights and Measures Act 1985 or any Acts, Regulations or Orders relating to food or goods.

12.2 If you fail to comply with the Licence conditions and/or the terms contained within this handbook, the Council will take disciplinary action against you which may ultimately lead to the withdrawal of your Licence. A copy of the disciplinary procedure can be obtained from the Town Centre Management office.

13. Data Protection and Freedom of Information

13.1 In processing your licence application, the Council will hold personal data about you. The Council will hold this data securely and process it in accordance with the Data Protection Act 1998. An annual verification of details check will be carried out to determine eligibility to continue trading.

13.2 Individuals are able to request/obtain copies of the information the Council holds about them by making a request in writing to the Information Officer or by completing the appropriate form on the Council's website. There is a fee of £10.00 payable for the provision of the information.

13.3 If an individual is dissatisfied by how their personal information is held or disclosed a complaint can be made in to the Senior Solicitor based at Ashfield and Mansfield Shared Legal Services, Urban Road, Kirkby in Ashfield, Nottinghamshire, NG17 8DA.

13.4 The Council is required to comply with the Freedom of Information Act 2000, the Environmental Information Regulations 2004, any subordinate legislation made under the FOI Act/EIR and any guidance issued by the Information Commissioner.

13.5 The Council is required, upon request, to provide information it holds unless an exemption applies.

14. Useful contacts

Town Centre Management

Clumber House
Floor 3
1-7 Clumber Street
Mansfield
NG18 1NU

Tel: **01623 463733**

Email: tcm@mansfield.gov.uk

Mansfield District Council Environmental Health Service

Civic Centre
Chesterfield Road South
Mansfield
NG19 7BH

Tel: **01623 463189**

Email: mdc@mansfield.gov.uk

National Market Traders Federation

Tel: **01226 749021**

Web: www.nmtf.co.uk