

## Market Terms and Conditions

Daventry Market has been free to Trade from the 1<sup>st</sup> July 2019. Traders are still required to go through the application process and advise of any absence to secure their pitch on future trading days.

The Council dictates the conditions under which the market operates, and each market trader must abide by these terms and conditions and satisfy the Council that they are bona fide market traders.

These terms and conditions govern the use of stall/s in the market area by traders. Any trader who **contravenes any of the terms and conditions, statutory provisions, regulations, order of any byelaws relating to the market, may be refused permission to use a pitch in the market.**

Traders must comply with the directions of the Market Officer or other authorised Council Representative and no other action shall be carried out on a stall other than that for which the trader is granted permission.

Each trader should apply for permission to trade on Daventry Market by completing the attached Market Application Form, together with the required documentation.

The Council reserves the right to decline any application if it considers that any trade or product/service will be over-represented in the market.

## INSURANCE AND LIABILITY

All Traders must hold a valid insurance policy for Public Liability Insurance for claims of up to £5,000,000 and make it available, together with a receipt for the current premium to the Market Officer or other Council Representative. Traders not holding this cover will not be permitted to trade on Daventry Market.

All traders shall indemnify the Council from and against all actions, proceedings, damage, claims, losses or outgoings of whatever nature arising out of the trader's use of any stall, pitch, vehicle or stand etc. on the market.

A trader shall have no claim for compensation for any loss whatsoever on the termination or suspension or where a pitch is not available or made available to the trader for whatever reason, nor for loss or damage to stock, to stalls or to any other items brought onto the market by the licensee.

The Council will not be responsible for personal injury or death unless the personal injury or death has been caused by the negligence of the Council or its officers or agents.

## PITCHES AND SERVICES

Daventry market provides 3m x 3m pitch, free of charge.

Traders shall provide their own stalls and only use the pitch permitted to them by the Market Officer or other authorised Council Representative. If a pitch is not occupied for a period of two consecutive weeks (excluding holidays) in any year, it may no longer be reserved and re-

allocated accordingly. The Market Officer and/or Council Representative may, at his/her discretion grant extensions to periods of absence (e.g. prolonged illness).

A pitch booked in advance, shall only be held until 9.00am on Market day. After that time the Market Officer or other Council Representative may re-allocate the pitch to another trader.

Traders will not exhibit or display any other board, sign or advertisement without written express permission of the Market Officer or other authorised Council Representative.

Traders shall not place goods beyond the limits of the stall they have been allocated.

## TRADING HOURS, LOADING AND UNLOADING

Daventry Market will be open for Trade every Tuesday 8.00am – 2.00pm and every Friday 8.00am – 2.00pm.

Traders must always occupy the pitch space during the trading times and should not pack up before, as a courtesy to fellow traders.

Traders must vacate by 4.00pm at the latest.

The Market Officer or other authorised Council Representative will monitor the weather and wind speed and in the event of exceptionally adverse weather conditions (heavy rain, snow, wind speed in excess of 30mph) may vary any of the hours specified in these terms and conditions or close the market.

The Market Officer and Daventry Town Council cannot and will not be responsible for the loss of trade and/or goods on days where the weather conditions are bad.

## GOODS AND SERVICES

Traders shall sell or offer for sale from their stalls only the goods listed on their application form.

A market trader may not amend the approved list, unless the Markets Officer is notified in writing and approval for such variation is given.

## PARKING

Daventry Town Council are currently seeking permits for all day parking for Traders, until these are made available the Market Officer will show new traders where they can park.

Vehicles may be brought by traders or their Representative into the market area, but only in such a manner that will cause no obstruction to any right of way and so as not to inconvenience or cause any nuisance to other traders or the occupants of any premises adjoining the market area.

## LITTER AND WASTE

Traders must remove all goods, materials, containers, receptacles, equipment and waste by 4:00pm.

Failure to remove waste may result in termination of the licence.

## BEHAVIOUR

The following must always be observed by traders and/or their employees:

- No arguing
- No fighting
- No drugs or alcohol (promotion or consumption)

Traders are expected to present a positive image at Daventry Market and treat customers, fellow Traders, the Markets Officer and any Representative of the Council and others with respect and courtesy.

Traders must demonstrate respect and be mindful of comments made whilst trading and/or on social media and/or any publications.

A trader shall not, to the annoyance of any other person, use any loudspeaker, noisy instruments or loud music.

Traders are not allowed to bring any animals onto the market, except Assistance Dogs.

## CASUAL

If a space is available for a casual trader, he/she will trade under the same market terms and conditions as those of a regular trader.

## SMOKING

Smoking will not be permitted within the confines of the market area.

## ELECTRICITY

If traders are intending to use electrical equipment this must be declared at the point of application. NICEIC certificates must be provided upon request to Daventry Town Council's Market team or an authorised Officer.

Electricity is supplied to the Traders via feeder pillars and in turn an armoured waterproof cable, which Traders may plug into providing all their electrical equipment meets the required British Standards. The electrical supply is on a timer-switch, which starts at 5.30am and automatically turns off at 4.00pm. Traders must ensure that all trailing cables are covered with an anti-trip matting.

Traders must only use electrical equipment that is in good condition, weatherproof and suitable for outside use. All equipment must have a valid up to date PAT test certificate which must be available to view upon request by the Markets Officer or any Council Representative.

Traders must contact the Markets Officer immediately if there is a problem with an electrical bollard and should not attempt to re-activate a bollard if the circuit breaker has cut the electrical supply.

Electricity is only available to Traders who have booked their facility in advance of arriving at the Market. Traders who have booked electricity must declare in advance what equipment they will want to bring. All electrical installations must be installed by a competent person, and appropriately certified.

Daventry Market does not allow generators.

## HEALTH AND SAFETY

Traders have a duty to protect themselves and others from health and safety risks created in the course of trading. Such activities can include, but are not limited to:

- Setting up and packing away.
- The supply and use of electrical equipment, materials and substances.
- The use of any gas appliances or powered tools.
- The movement of vehicles.

Slips and trips are the most common hazard to pedestrians from the items placed on the ground, including trailing leads and spillages. Fixtures and fittings should be in good condition and securely erected. Any sheeting or gazebos must be weighted down with suitable weights and securely tied using clips and ties that are in good condition and fit for purpose. Protrusions from the stall should not cause obstruction or pose a risk to passers-by. Trip hazards should be minimized, and anti-trip matting used where needed.

Any Trader handling food for public consumption must be aware of and compliant with the current Food Safety Legislation and have registered with their Local Environmental Health Improvement Team as a food business.

## EQUAL OPPORTUNITIES POLICY

Daventry Town Council is committed to equal opportunities where it applies to both the running of, and the trading on, the market. This means that no one will be treated less favourably or suffer any detriment on the grounds of sex, race, ethnic origin, marital status, sexual orientation, age or disability. Daventry Town Council is also committed to anti-discriminatory practices with regard to the service our customers, clients or contractors on the same grounds as above this means that:

- No trader may abuse or refuse service to any customer on the grounds of sex, race, ethnic origin, marital status, sexual orientation, age or disability.

## TERMINATION

# DAVENTRY MARKET



Daventry Town Council reserves the right to terminate the licence of any trader who has breached the market terms and conditions or falsified application information or whose actions are not in the best interests of Daventry Market.

The Market Officer or Council Representative can seek help in removal of a Licensee, employee/s, attendants or any other person associated with the Licensee, who in the Market Officer's opinion, is causing a nuisance, annoyance or danger to the other traders, Daventry Town Council Representatives or the public or who damages any property of the Council.