

MANAGEMENT REGULATIONS

HEMEL HEMPSTEAD OLD TOWN SUNDAY MARKET

These regulations have been devised in the best interests of the Market as a whole and all traders and shoppers. They are enforced as such and applied in conjunction with traders' occupational agreement, which in the event of any conflict of interpretation shall take precedence. In this document the terms 'trader' 'stallholder' are interchangeable which also encompasses the market manager and all market management staff.

These regulations may be revoked, amended or supplemented in such manner and to such extent as the market operator may in their absolute discretion from time to time direct. Traders are required to familiarise themselves and any employees with the regulations and copies should be made available for all those attending the market in any capacity. Traders are required to comply with the provisions of these regulations, which may be issued from time to time. Copies of all these documents are available from the market manager.

A TYPES OF AGREEMENT

- a.1 **Pre-booked/ Prepaid traders** are required to attend in person on each trading day that they are committed to trading on. Pre-payments are redeemed through trading days only and are non-refundable. Refunds can only be obtained if the management cancels the Market.
- a.2 **Casual traders** are those that are granted a pitch for a single day in return for a fee payable on or prior to that day. The manager allocates a space at his discretion each day and after 09.30hrs may include the stalls of pre-booked traders.

B **PAYMENT OF RENT**

- b.1 Pre-booked traders must prepay for their pitch, either by way of cash or card payment via the office prior to the trading day.
- b.2 Casual traders must pay on demand in cash upon allocation of a pitch by the market manager. Card Payments can be made via the office prior to the trading day.

C **INSURANCE, IDENTITY AND SIGNAGE REQUIREMENTS**

- c.1 All traders are required to hold valid public liability insurance cover. Membership of the National Market Traders Federation www.nmtf.co.uk is the most recognised in the industry.
- c.2 All traders must produce photographic evidence of identity and place of residence to the manager. A photo driving license and recent utility bill will generally suffice. This data will be kept secure and confidential between the parties.
- c.3 All traders in foodstuffs shall display their trading name and business address in a prominent position on the stall. All other traders shall display a prominent sign showing no less than their trading name and details of their insurances.

D **COMPLIANCE**

- d.1 Traders are required to comply with the directions of the market manager or their staff at all times.
- d.2 Traders on the market are required to comply with and ensure compliance by the employees and other persons acting upon their behalf with the provisions of these management regulations, any and all Acts of Parliament, statutory regulations, byelaws or rules and regulations made by a competent authority. This included Health & Safety, Employment and Trading Standards Legislation. It is the responsibility of the traders to determine which applies to them and to ensure compliance.
- d.3 Traders are required to conduct themselves in a manner which does not cause danger, annoyance, nuisance or impediment to any other persons. This precludes the use of threatening or abusive behaviour, foul language or drunkenness. The manager has the discretion to suspend any trader who breaches this rule.
- d.4 Goods that are counterfeit, offensive or dangerous may not be sold and the market manager has absolute discretion to determine if they represent same and to require their immediate removal.
- d.5 Traders in foodstuffs are required to comply with the Food Traders Appendix. A copy is available from the market manager.

E **TRADING TIMES**

e.1 Trading days are:

The first (1st) Sunday of the month

e.2 Core trading hours during which traders are obliged to open for business are:

10.00am to 15.00pm Greenwich Mean Time (November – March) with extended hours of 10.00am to 16.00pm during British Summer Time (April – October) plus such additional times as the market operators may direct. Times are subject to change from the management.

e.3 The market will be closed on Christmas Day, Boxing Day and New Years Day.

F **HOURS OF ACCESS AND TRADING**

f.1 All stalls shall be occupied by 09:00hrs and capable of trade by 10:00hrs.

f.2 Traders cannot enter the High Street before 07:00am and must be pre-registered with the electronic barrier/ entry system. Management will be onsite from 06:30am.

f.3 No vehicle access or movements can take place after 9.30am, unless otherwise authorised by the market manager. All vehicles must be off the High Street by 9.30am, returning at 15:00/ 16:00hrs.

f.4 In the event of a temporary absence of the trader, a responsible adult person shall be left in control of the stall.

G **ACCESS BY VEHICLES FOR LOADING AND UNLOADING ONLY**

g.1 Traders shall comply with the permitted access hours and any traffic management directions made by the market manager e.g. an allocated time. If a trader is unable to meet the allocated time then other vehicles with pre allocated time slots will have priority. Vehicles must not obstruct other vehicles and deliveries and must not be left unattended with their engine running. Once unloaded or loaded they must be removed without delay. Any unattended vehicle may have a fine or penalty imposed.

g.2 Only vehicle types and trailers authorised by the manager shall be brought onto the market. All vehicles and trailers shall be roadworthy, insured and in possession of an MOT certificate and current road fund license. All drivers must possess a full UK driving license and be insured to drive same.

g.3 Any spillages of oil or fuel must be immediately cleaned up and reported to the manager.

g.4 The filling or emptying of fuel tanks whilst attending the market is expressly prohibited.

H ADDITIONAL REQUIREMENTS – SALE OF FRESH FOOD

- h.1 All traders in foodstuffs must register with their local Environmental Health Department as a ‘Food Business’ and comply with the separate ‘Food Trader Appendix’. A copy is available from the market manager.
- h.2 It is the responsibility of traders to ensure all edible foods sold on the market are handled, displayed, priced and sold in accordance with statutory requirements including the EU Food Hygiene Regulations. All edible goods must be stored and displayed at least 12 inches above ground level. Some types of goods may require refrigeration – advice and guidance on handling methods is available from your local Environmental Health Dept.

I RECYCLING AND WASTE DISPOSAL

- i.1 No waste or refuse shall be brought into the market. Refuse generated during the course of the days’ trade should be removed at the end of each trading day. Waste and Recycle bins will be onsite for residual waste. Management reserves the right to add a fee to traders who generate excessive waste.
- i.2 Traders who generate fish, meat and catering waste shall make their own arrangements for storing waste within their stall during trading hours.
- i.3 Traders shall not discharge noxious or foiled liquid waste including cooking oil and food waste down the drains or onto the paving. All waste liquid is to be contained and removed from site at the end of the day by the trader.
- i.4 All stalls shall be left clean and clear of refuse at the close of trading. A warning letting and or possible suspension will be given to traders who fail to comply.

J MAINTAINANCE OF STALLS

- j.1 In the event Saunders Markets Limited provide infrastructure – Traders shall not adapt or alter any equipment fixture or fitting forming part of the stall or its services. If adaptation is requested the market manager will direct or approve.
- j.2 Electricity is not currently available for traders to use. All power cables and leads are to be supplied by traders and also maintained by them. Generators are not permitted on the market unless they are silent. All equipment is required to be PAT tested and certified.
- j.3 Traders shall only occupy and use for display the areas let to them under their agreement. The ‘Standing-out’ of goods outside the demised area e.g. in front, behind or to the side of a stall is at the manager’s discretion.

j.4 Demised seating area e.g. for catering stalls shall be cleared and cleaned by the catering stall holders during trading hours.

K PROHIBITED GOODS AND ACTIVITIES

- k.1 Goods that are counterfeit, offensive or dangerous may not be sold and the market manager has absolute discretion to determine if they represent same and to require their immediate removal.
- k.2 Airsoft/ imitation firearms are not permitted to be sold on the market.
- k.3 No 240v electrical goods may be sold except for new items still in their original packaging.
- k.4 Second-hand or used goods may not be sold, except within the Antique market.

L HEALTH & SAFETY

- l.1 Traders are required to familiarise themselves and comply with the market operators Health & Safety Policy. A copy is available from the market manager.
- l.2 Traders are required to prepare their own Health & Safety policy in accordance with statutory requirements. Guidance can be found at www.hse.gov.uk
- l.3 Traders are required to comply with all directions in respect of Health & Safety issued by the manager. Such instructions are supplemental to and do not vary these regulations.
- l.4 There are significant Health & Safety risks posed to traders and staff when delivering and handling goods e.g., trips, slips and falls. Traders must undertake a risk assessment of their working methods and devise and implement safeguards.

- l.6 All traders are required to:
 - *Prepare their own risk assessment methods*
 - *Ensure all staff are adequately instructed in Health & Safety matters*
 - *Make personal protective equipment and clothing available to their staff*
 - *Report any accident or incident to the market manager*

- l.7 Traders must pay particular attention to the hazards of:
 - *Vehicle movements – reversing of vehicles in loading and unloading bays*
 - *Slip and trip hazards – trip hazards and slippery floor surfaces*
 - *Electrical safety – power and lighting distribution from supply boxes*
 - *Goods handling – manual handling of heavy and awkward objects*

M **ACCIDENTS, FIRST AID AND FIRE SAFETY**

- m.1 All accidents and ‘near misses’ involving traders, staff or members of the public MUST be reported immediately to the manager for investigation and entry in to the accidents book.
- m.2 A qualified and experienced Emergency Medical Technician will be onsite during trading hours, located at the management office. Traders should familiarise themselves with its location and the identity of designated first aider staff.

N **SUPPLEMENTAL**

- n.1 No child shall be employed upon the market except in accordance with statutory legislation.
- n.2 Radios or other sound equipment may be played at the discretion of the market manager. A PPL License is required.

O **COMPLAINTS PROCEEDURE**

- o.1 All complaints involving stallholders and staff are dealt with in accordance with a formal complaints and disciplinary procedure. Complaints shall first be made to the market manager who will seek to resolve same and issue a direction. If the complainant is not satisfied he or she may appeal to the area manager who will then issue a direction.
- o.2 Complaints will be treated in confidence and all parties notified of the complaint and given full opportunity to respond. The complainant will be required to substantiate same under normal rules of evidence and if a complaint is found to be vexatious then disciplinary action may be taken against the complainant.
- o.3 Complaints made by a member of public against any trader will be handled in confidence and the trader first given the opportunity to resolve the dispute. If a resolution is not achieved the manager will arrange a private resolution meeting between the parties and invite third parties (e.g. Trading Standards) to attend if appropriate. If the resolution or direction from that meeting is contested then a formal appeal will be heard, chaired by the area manager or his nominee. The meeting will reach a final decision and issue a direction.
- 0.4 In the event that a trader is alleged to be in substantial breach of the terms of the management regulations the market manager may suspend the trader for a period not exceeding 28 days during which a formal disciplinary hearing will be convened and chaired by the market manager or his nominee. If the resolution or direction from that meeting is contested then a formal appeal will be heard, chaired by the area manager or his nominee. That meeting will reach a final decision and issue a direction.

P **DISCIPLINARY PROCEEDURE**

- P.1 In the event of a grievance between stallholders or with market management or market staff, the stallholder must contact the market management in writing outlining the issue.
- p.2 Market management will gather relevant facts regarding the cause of the grievance and hold meetings with the parties involved.
- p.3 Following which and once all facts have been obtained; market management will suggest a course of action to resolve the grievance. The action will be issued in writing to each party.
- p.4 If required and within 7 working days market management will hold follow up discussions with each party to confirm the course of action is working.
- p.5 If the complainant does not agree with the decision they have 14 working days to appeal the findings in writing to the market management for review
- p.6 A representative of the market management will investigate and issue their findings in writing to the complainant. The Directors findings will be final.
- p.7 In the event of a gross breach in the rules and regulations traders will be removed from trading with immediate effect.

Q SIGNAGE – Trader Copy

RECEIPT for RULES

I/We confirm receipt of the market management regulations and undertake to comply with same, failure to comply may result in termination of my trading pitch:

Trader

Management

Signed.....

Signed.....

Print Name.....

Print Name.....

Date.....

Date.....

Q SIGNAGE – Management Copy

RECEIPT for RULES

I/We confirm receipt of the market management regulations and undertake to comply with same, failure to comply may result in termination of my trading pitch:

Trader

Management

Signed.....

Signed.....

Print Name.....

Print Name.....

Date.....

Date.....