

Dunstable Town Council

Middle Row Market Regulations

1. MARKET DAYS

Middle Row Markets are held every second and third Saturday of each month from March to December. Emergency conditions may require an adjustment to this rule. Dunstable Town Council reserves the right to close the markets, 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. TRADING TIMES

The market area (see map 1.) can be accessed from 7.00 am unless previously agreed with the Town Centre Manager. All vehicles must be removed from the designated market area by 9.15 am and there must not be vehicle movement before 3.30 pm. Traders must be on site and set up for trading by 9.30 am and not cease trading before 3.30 pm, and all stallholders are to have ceased trading by 4.30 pm. Traders are required to clear all merchandise and other articles, including vans, from the Market within 60 minutes of closing time and ensure that neither the stallholder nor his/her employees remain in the trading area.

3. TRADERS

When referring to traders throughout these regulations, it is in relation to individuals where the law considers them to be a trader licensed by Dunstable Town Council. If unsure, then the following criteria can be used as a guide.

- Are the goods you are selling your personal property? If not, and you buy goods in specially to resell - for example, from newspaper adverts or a cash and carry - you are very likely to be a TRADER.
- Do you attend boot sales or markets regularly, once every couple of months or more? If so, you are likely to be a TRADER even if boot sales are not a major source of income.
- Do you employ anyone to help you with sales? If so, you are probably a TRADER.
- Do you sell similar goods at other venues - for example, markets, in the street or from home? If so, you are almost certainly a TRADER.

4. GOODS AND SERVICES

a) All traders must only sell goods permitted by their application. Any deviation from this (temporary or permanently) must be agreed by Dunstable Town Council, failure to do so will result in termination of the trader's stall. Dunstable Town Council works closely with Trading Standards and the Police to ensure all goods and services are of a high standard and are permitted. The Market Officer will inform the relevant authority if they believe a trader is not in compliance, the trader

will also be notified. Goods and services must be sold within the designated area and must not spread beyond agreed boundaries without prior permission by the Town Centre Manager. The Price Marking Order 2004 requires you to show a price in writing for all goods offered for sale (sales by auction or sales of works of art and antiques are not included). Price indications can be attached to the goods or placed adjacent to them.

5. STALL ALLOCATION:

a) **APPLICATIONS** – These should be made on an official application form obtainable from Dunstable Town Council or apply via e mail to Annertte.clynes@dunstable.gov.uk (www.dunstable.gov.uk). 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 Council reserves the right to refuse a letting or cancel an existing letting.

b) **WAITING LIST** – This will comprise data from the completed application forms, and stall allocations will only be made from this list.

c) **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.

d) **STALL ALLOCATION** – This is to be decided by the Town Centre Manager, this may be changed on the day.

e) **PROPERTY** – Dunstable Town Council does not take any responsibility for the property of traders. Should a trader cease trading, any property left at the market will be disposed of after seven days.

f) **SUB LETTING** – Traders are not entitled to sublet their pitch.

g) **TRANSFERS** – These will not be considered except, from a stall holder wishing to transfer the letting to a spouse/partner, child, brother or sister who have been active and regular working/assistants on the stall for a minimum of one year preceding the transfer.

6. STANDARD REGULATIONS

a) 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 Dunstable markets. Traders must also be aware of wider regulations and legislation e.g. Equalities, Employment and Data Protection. If trading in either food or drink you will be expected to provide the name of the local authority you are registered with, and any relevant certification. Dunstable

Town Council will abide by its own policies as well as any relevant statutory legislation in relation to the management of markets.

b) All stallholders are to provide and display in a prominent and visible location on the stall/pitch, a legible, well-presented sign of a minimum size of 300 mm x 300 mm showing their trading name. This sign must remain in position throughout the trading day. The Companies Act 2006, Part 41 states that if you do not trade under your own name, you must clearly display your name and an address where legal documents can be sent to you. These requirements also apply to receipts, invoices, orders and correspondence issued in the course of your business.

c) All traders must have public liability insurance of at least £5,000,000 to trade on the market. Evidence of such will be required before trading can commence.

d) Dunstable Town Council has adopted a Customer Charter to ensure a quality service and product for the consumer. All traders will be expected to abide by the charter (see appendix 1).

7. PAYMENT:

All traders must either pay the chargeable stall hire fee in advance at the time of reserving your pitch or on the day if agreed with Town Centre Manager by 10.00 am. Cancelled stalls will be charged, unless four days' notice is given. All stalls will be chargeable if cancelled, notify by 7am on the day of market for non-attendance. Stalls will not be reallocated unless stall payment has been received.

8. FACILITIES

a) **PARKING** – Traders are entitled to a discounted parking permit which must be obtained through The Town Centre Officer on the day. No vehicles are permitted to park in the market area (see map 1). All traders must display a Dunstable Town Council parking permit to identify these vehicles as traders. Blue badge holders who are traders must adhere to the terms and conditions as displayed at the car park, if parking in the disabled bays in Ashton Square car park. Pay and display ticket must also be obtained with the discount ticket for all traders at £3.80

b) **RUBBISH** – All refuse must be taken home, refuse and litter of any kind must be removed and put in bags. All associated packaging and rubbish must be removed. All perishable waste and items that may cause a smell must be placed in bin liners and tied by the stallholder before being taken home. It is the stallholders' responsibility to manage and remove waste provided by their stall.

c) **ELECTRICITY** – Traders may not install electrical equipment without the permission of Dunstable Town Council who will determine the terms and conditions of use of the electricity supply which is open to review at any time. Traders must only use the supply available for the operation of lighting, tills, scales, refrigerators, cooking equipment and other fittings associated with market stalls. Traders shall not use any means of sound amplification or other mechanical means of attracting

attention to a stall. The playing of audio equipment, other than by way of short tests on stalls selling these items is included in this restriction. All electrical equipment must meet 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 Dunstable Town Council. Fuse capacity must not be altered. All cables must be managed in public areas to prevent slips, trips and falls and any other associated accidents. Traders must respect the supply and take care when connecting or disconnecting any electrical equipment. **ONLY ELECTRIC LIGHTING IS ALLOWED ON STALLS. NO PORTABLE GAS APPLIANCES ARE ALLOWED WITHOUT THE EXPRESS PRIOR PERMISSION OF DUNSTABLE TOWN COUNCIL.**

d) **GENERATORS** – Dunstable Town Council does not permit the use of generators unless prior agreement is sought. Under no circumstances are generators to be brought on to the designated site without said permission.

e) **STALLS**

i) All market traders are required to use the stalls provided and are not permitted to bring their own awnings or to trade outside of their stall unless with the prior agreement of Dunstable Town Council. At the discretion of the Market Officer and where space permits a 4-foot curtilage to the front and 2-foot curtilage on either side of the stall will be allowed. There will be a charge for trading beyond the designated stall area. No goods shall be placed on the floor of the market or on or about the stall so as to obstruct the free passage or viewing of goods by persons using the market. Dunstable Town Council will arrange for the erection and dismantle of said stalls. The Council will also be responsible for maintenance and storage. Stall holders have the responsibility of looking after the stalls during the working day and are to report any problems or maintenance issues to Dunstable Town Council. In the event of damage arising during use by the trader, the cost of repairing such damage shall be recoverable from the trader by the Council. Traders are not permitted to erect, dismantle or alter any stalls of property of Dunstable Town Council. Dunstable Town Council does not take responsibility for any losses or damage incurred by the trader.

f) **TOILET FACILITIES** – There are public conveniences available in Ashton Square Car Park between the hours of 9.00 am to 5.30 pm. Any issues with these facilities should be reported to Dunstable Town Council.

9. CONTACT WITH THE TOWN COUNCIL

a) **In the first instance** all problems shall be brought to the attention of the Town Centre Manager.

b) If a trader(s) is unable to obtain a satisfactory solution to the problem they must go through the Comment, Compliment and Complaints procedure (see regulation 16), and must not bypass the Market Officer or Town Centre Manager.

c) If a trader is still dissatisfied, they have the right to appeal, in writing to the Town Clerk and Chief Executive, through the Comments, Compliments and Complaints procedure.

“Receipt of a written complaint will be acknowledged and recorded within three working days and the complainant will be given contact details for the relevant Head of Service.”

10. COMMENTS, COMPLIMENTS AND COMPLAINTS

Dunstable Town Council operates a Comments, Compliments and Complaints procedure. All individual traders have the right to utilise this by contacting Dunstable Town Council (www.dunstable.gov.uk). Members of the public also have the right to use this process to comment on the market or individual traders. Should the latter be the case then Dunstable Town Council will inform the individual trader of the nature of the comment and take any necessary action.

Whilst a complaint is formally being investigated, no approach shall be made by a trader to any elected Councillor until the full procedure has been completed.

11. REGULATIONS REVIEW

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

12. SHARING OF INFORMATION

Dunstable Town Council is required by law to protect the public funds we administer. We may share information provided to us with other bodies responsible for auditing or administering public funds in order to prevent and detect fraud.