



## Deal Town Council Saturday Market Rules



### Principles

- Deal Saturday Market aims to be vibrant, diverse, and successful.
- Deal Town Council, stall holders and customers share responsibility for ensuring:
  - A vibrant, diverse, and successful Market
  - A safe Market which meets all Health and Safety requirements
  - A regular Market operating at full capacity and regular hours
  - An efficient and well-run Market

### Market Rules and Regulations

These Market Rules and Regulations govern the use of the Market by Traders.

**Any Trader who contravenes any of these Market Rules and Regulations may be refused permission to pitch a stall in the Market.**

**If a trader incurs 3 formal warnings the Market Officer has the right to let their pitch to another trader on a permanent basis.**

The Council reserves the right to refuse an application without providing reasons.

**Traders should be aware that it is a requirement that they have Public Liability Insurance in force before they attend the market to trade.**

In the interests of all existing traders and market customers Deal Town Council tries to offer a balanced market, with limited duplication of both core and competing secondary product lines. The Market Officer will be able to advise you on individual cases.

#### **I. General Conditions:**

1. The Market Officer's decision is final in all matters and can remove any trader at their discretion.
2. Traders must not, directly or through any other person, make any public or private statements, (whether orally, in writing, via electronic transmission, social media or otherwise) that disparage, denigrate or malign the Market, other traders, Deal Town Council or its Officers.
3. All traders will be expected to comply with the government guidelines.

4. Traders must ensure that during trading hours pitches are staffed, presentable and in keeping with the market at all times. Unattended stalls are NOT ALLOWED on the Market unless in special circumstances that has been agreed in advance with the Market Officer.
5. That if Traders wish to make use of a gazebo, it must be one of the Deal Saturday market gazebos. Traders may wish to add sides, backs, and other publicity material to the gazebos whilst in their care, if it is not detrimental to the safety or damaging to the structure.
6. All vehicles that are not being left on site, must have left the site before 08.00am. (April to October) 09.00am (November to March)
7. All traders must pay DTC in advance for their pitch weekly by Thursday midday via electronic transfer.
8. Refunds may only be given at the discretion of the Town Clerk in exceptional circumstances.
9. The Market Officer will allocate the location of stalls; his decision is final.
10. Proof of public liability cover must be seen by the market officer (insurance certificate), a food hygiene certificate (where applicable).
11. Deal Town Council are not responsible for any losses or damages incurred by traders.
12. Traders cannot sub-let their pitches.
13. Smoking within or near market stalls is strictly prohibited.
14. For the avoidance of doubt, it is the Trader's responsibility to know and implement all current laws and regulations relating to their trading.
15. Pitches are not transferable between traders.

## **II. Eligible Goods:**

1. Traders must only sell goods or services for which they have permission from Deal Town Council as specified in their application form.
2. On application traders may be asked by the Market Officer to supply additional description and/or photographs of the goods intended for sale.
3. Any additions/amendments to your stall must be made known to the Market Officer and a new application form will be reissued to sign.
4. The Market Officer will ask for any un-authorized goods to be removed from sale and display.
5. Deal Town Council do not allow the sale of guns, crossbows, axes, swords or knives. The sale of pets, fireworks and counterfeit goods is illegal.
6. All sexually explicit or pornographic items, including DVDs, magazines or any other material is strictly prohibited.

## **III. Trading Regulations:**

1. It is the responsibility of all Traders to acquaint themselves with the Trading Regulation(s) regarding their own specialist area and abide by them.
2. Traders must ensure that they comply with all relevant legislation regarding the employment of minors.
3. Traders must ensure that all public/environmental, Health and Safety Regulations are always observed. Any accident caused through failure to observe statutory requirement or negligence is the responsibility of the Trader.
4. Any sale by auction, canvassing, market research or personal questionnaire or any stall advertising or promoting a political organisation/agenda is expressly prohibited.

#### **IV. Health & Safety:**

1. All goods/products must be displayed within their allocated pitch.
2. All stallholders must report accidents and injuries to the Market Officer who will keep a record.
3. Where food is being cooked or heated traders must ensure that there is adequate means of fighting fires within their stall and a fire blanket must also be available. Traders must ensure that all fire extinguishers are inspected annually by a competent person and a record kept that is available for Market Officer to check.
4. Traders must obtain the Market Officer's permission to use a generator. The Market Officer can refuse or ask to the trader stop using a generator if in Market Officer's opinion they are a nuisance or annoyance to members of the public, fellow traders or detrimental to the efficient operation of the Market.
5. Petrol must be stored in sealed, purpose built made containers and at a safe distance from any heat source. When refuelling a generator, it must not be running.
6. Traders must obtain the Market Officer's permission to keep their dogs at their stall during the market day. It is Trader's responsibility their dogs are not a nuisance or annoyance to any members of the public, fellow traders or detrimental to the efficient operation of the Market. The Council is not responsible for action of any dog.
7. Vehicles can be onsite but must be within the allocated pitch. Also, they may not move around the site between 08.00am to 14.00 (April to October) 09.00am to 14.00 (November to March).
8. Traders must use the same entrance and exit as the public between trading times.
9. There will be a market Officer present. For any problems, traders should find one of the staff situated at the Town Council container.
10. The market officer will be present onsite all day. Any problems traders should find one of the staff situated at the town council gazebo.

#### **V. The Employment of Young Persons:**

1. Traders are required to comply with the provisions of any law relating to the employment of young children.
2. Traders must take full responsibility for their children present on the market site.

#### **VI. Sale of Fresh Food:**

1. All stallholders must comply with current Trading Standards and Environmental Health requirements and agree to comply with the recommendations made by Environmental Health Officers as to food processing, storage, handling and display.
2. The Trader's latest Food Hygiene inspection report and premises rating must be provided.
3. All fresh foods must be stored and displayed in accordance with current food hygiene regulations and all edible goods including greengrocery must be stored, displayed and sold at least 18 inches (0.5 metres) from the ground to protect all foodstuffs from the risk of contamination.
4. Handwashing or washing equipment required must be always available at the stall during trading.

#### **VII. Refuse:**

All Traders must always keep the stall/unit/pitch and the area immediately around it clean and free from litter both during and at the close of the day's trading. Refuse must be disposed of in a safe manner and taken away with them. **Failure to leave the site clean will incur a formal warning.**

## **VIII. Behaviour:**

Responsibility for the adherence to the rules and for the behaviour of any person employed or manning a stall remains with the person to whom the pitch was allocated.

Traders must ensure that they, or any person working for them, does nothing which in the opinion of the Market Officer is a nuisance or annoyance to members of the public, fellow traders or detrimental to the efficient operation of the Market.

The following misconducts are not acceptable:

- Dishonesty
- Under the influence of alcohol or illegal substances
- Verbal abuse, use of foul or abusive language, harassment, intimidation and discrimination or bullying.
- Assaulting a member of public, Council staff or another trader
- Bringing the Council or the market into disrepute
- Failure to comply with the requirement of food regulations.

No Hawking. Goods must not be sold outside of the pitch area.  
Mock auctions are not permitted.

Stallholders and any person employed to work on their stall must be dressed appropriately whilst trading on the market. Specifically, tops must be always worn.

## **IX. Sickness and Absence:**

In cases of absence, responsibility for the adherence to the rules and for the behaviour of any person temporarily manning a stall remains with the person to whom the permission was allocated.

**All Traders must give notice of any intended absence from the Market by email (chris.hobbs-east@deal.gov.uk) or ringing the Market Mobile (07877806870) or by leaving a message before midday on the Thursday before.**

**If a Trader does not make the Market Officer aware of any absences for any reason by midday on the Thursday before, the Market Officer has the right to allocate their pitch to another trader for that week. If traders do not make the Market Officer aware on 2 consecutive weeks, the Market Officer has the right to allocate their pitch on a permanent basis.**

Any trader that has more than 4 consecutive weeks off from the market will be asked to move to the casual waiting list and their regular pitch let to a trader who can attend on a regular basis. If exceptional circumstances exist, the Market Officer in conjunction with the RFO can override this rule.

## **X. Trading times:**

1. The Market shall be held on every Saturday except for when Christmas Day, Boxing Day or New Year Day falls on a Saturday.
2. In exceptional circumstances the Council reserves the right to cancel the market.
3. Trading hours during which the Market will be open for trading shall be: 08:00 – 14:00 (April to October) 09.00am - 14.00 (November to March)
4. The setting up hours during which stalls may be erected shall be: 06:30 – 08:00 (April to October) 06.30 - 09.00 (November to March) and shall be dismantled between 14:00 – 15:00.
5. All stalls shall be wholly packed away before 15:00.

**Traders must not leave the Market before 14:00 unless prior permission has been given by the Market Officer. The hours during which vehicles can be brought onto the market for loading/unloading are: 06:30 – 08:00 & 14:00 -15:00. (April to October) 06.30 - 09.00 & 14:00 -15:00. (November to March)**

6. Only the Market Officer has the authority to let vehicles on the market between 08.00 and 14:00 (April to October) 09.00 - 14.00 (November to March)
7. The Market Officer may at any time, at his absolute discretion, alter the layout of the Market. The Market Officer may also close the Market in the case of danger or emergency. The decision of the Market Officer as to what constitutes danger or emergency shall be final. In the event of such action Deal Town Council shall not be liable for any loss sustained by the Trader directly or indirectly.

#### **XI. Market Fees:**

**The price is £10 per parking bay. (5m x 2.7m) Stalls will not be more than 3 bays in size. (5m x 8m)**

Fees must be paid electronically no later than midday on the Thursday before. NO cash will be handled by the staff on the day of the market.

Fees may be paid weekly, monthly, quarterly, or annually. Please advise the Market Officer of your decision on how frequently you will be paying.

#### **XII. Severe weather or unforeseen circumstances:**

1. All Traders are responsible for making the necessary preparations for the safe operation of their stall during the market day. This includes any stall or product covers and other safety precautions required.
2. If the Market Officer considers that the weather conditions are severe and may cause a major disruption to the safe operation on the market, the market will be closed.
3. In the case of inclement weather, reduced charge will NOT be offered.
4. Regarding weather conditions, Traders have time until 08:30 to decide whether to trade or leave.
5. **If a trader has paid but decides after midday on the Thursday before to not attend but the market is deemed safe to go ahead, a refund WILL NOT be made.**
6. The Council reserves the right to close the market at short notice due to unforeseen circumstances.

#### **XIII. Changes in market rules and regulations:**

The Council reserves the right at any time and from time to time to amend, alter, omit from, add to, vary, replace, revoke or extend these Market Rules and Regulations in such manner or to such extent as it shall in its absolute discretion think fit and upon written notice of any such change in these Market Rules and Regulations being given by the Council to each person, firm, company or body to whom a market pitch has been allocated.

The Market Rules and Regulations, as so changed, shall be binding upon such persons, firms, companies and bodies forthwith.

I, the undersigned, declare that I agree with and will comply with the rules of the Market as provided by Deal Town Council.

Signed..... Print Name .....

Date .....

**Deal Town Council cares to ensure the security of personal data. This is done through appropriate technical measures and relevant policies. Data is kept for the purpose it was collected for and only for as long as is necessary. (See our Privacy Notice & Retention Policy online at: [https://www.deal.gov.uk/UK\\_GDPR\\_28446.aspx](https://www.deal.gov.uk/UK_GDPR_28446.aspx) for further information**