Issue No. 15
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MARKET REGULATIONS

Part 1: Definitions

In these Regulations, the following words and expressions shall have the meanings hereby assigned to them:

1. **The Council (NTC):** Newbury Town Council, its officers, or appointed representatives.
2. **The Market:** The Charter Market held weekly on Thursdays and Saturdays in the Market Place, Mansion House Street, Northbrook Street, and Bartholomew Street, Newbury, Berkshire, or any other location or day as determined by the Council.
3. **The Market Manager:** The person(s) appointed by Newbury Town Council to manage and supervise the daily operation of the Market.
4. **Trader:** Any individual, company, partnership, or business selling, or applying to sell, goods or services from a market pitch.
5. **Approved (Regular) Trader:** A Trader who has received formal approval from the Council to trade regularly, usually paying monthly in advance.
6. **Casual Trader:** A Trader operating on a day-to-day basis without a commitment, subject to availability.
7. **Charity, Religious Group, or Society:** Any temporary or one-off stall holder granted prior permission by NTC to operate on a designated Market Day for non-commercial, informational, or fundraising purposes.
8. **Pitch:** The specific footprint or area allocated to a Trader by NTC for trading purposes on any given market day.
9. **Open Food:** Food which is not in a container or packaging of such materials and so closed as to exclude all risk of contamination.

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Part 2: Market Operations & Pitch Allocation

1. Market Days and Hours

- The Market shall normally operate every **Thursday and Saturday with Traders set up and ready to trade by 8:15am. Market closing times are subject to the Market Manager's discretion each Market Day.**
- Markets will not operate if these days fall on Christmas Day or Boxing Day.
- The Council reserves the absolute right to cancel a market, alter trading hours, or relocate pitches to alternative locations or days in the interest of public safety, special events, or operational necessity.
- All goods, vehicles, and structures must be completely cleared from the Market area by **5:00 p.m.**

2. Pitch Dimensions & Construction Standards

- **Standard Pitch Size:** A standard pitch measures approximately **3 metres x 3 metres (10ft x 10ft)**. Additional frontage may be permitted at the discretion of the Market Manager and the Town Council, subject to availability and the appropriate additional frontage fees.
- **Equipment Requirements:** Traders must provide their own high-quality, professional-grade popup gazebo canopy or trade from a purpose-built vehicle/trailer. All structures and vehicles must be pre-approved by the Council before attending.
- **Zoning Restrictions (Northbrook Street & Bartholomew Street):**
    - Traders in these zones must trade strictly from a popup gazebo style structure no larger than 3m x 3m.
    - No mains electricity is available in these zones. Only battery-powered equipment is permitted.
    - **The use of gas, charcoal, and open/naked flames is strictly prohibited in these zones under any circumstances.**

3. Allocation of Pitches

- Pitches are allocated by the Market Manager.
- Available pitches on any given market day will be allocated to Casual by the Market Manager based on size, commodity balance, and layout requirements.
- The Council reserves the right to reallocate or move any pitch at any time without prior notice in the general interest of the market's layout and safety.

Part 3: Fees, Payments, and Attendance

1. Payment Terms

- **Regular Traders:** Pitch fees can be paid monthly in advance via Direct Debit, Standing Order, or alternative electronic payment methods approved by the Council.
- **Casual & Daily Traders:** Casual traders must pay the standard daily rate to the Market Manager upon attendance via the Council's designated payment system.
- **Extra Space:** Any temporary space utilised beyond the agreed standard pitch size must be paid for on the day of the market at the standard rate.
- **Arrears:** Failure to clear appropriate fees by the designated date may result in a late payment fee and/or immediate suspension or expulsion from the market.

2. Incentives for New Traders

- New traders may be eligible for a **'4 weeks free rent'** incentive. To qualify, the Trader must pay for their first 4 weeks of trading in advance and attend for 4 consecutive weeks. Upon completing this period, they will receive the following 4 consecutive weeks of free rent, after which they must transition to paying monthly in advance to receive the 'Monthly in Advance' rate.

Part 4: Food Safety, Hygiene, and Licensing

1. Food Business Registration

- All traders preparing, cooking, storing, handling, distributing, or selling food must be registered as a food business with their respective Home Local Authority in accordance with UK law (via gov.uk/food-business-registration). This includes charities and community groups distributing food.

2. Food Hygiene Standards

- All food businesses must comply fully with **The Food Safety and Hygiene (England) Regulations 2013**, **The Food Safety Act 1990**, and **Retained Regulation (EC) No 852/2004**.
- Traders selling meat, dairy, or high-risk products must ensure food is either entirely pre-wrapped/sealed or sold from an approved, purpose-built vehicle or trailer featuring raised floors, integrated hand-washing facilities, and appropriate temperature-controlled environments.
- All open food exposed for sale must be protected from risk of contamination by transparent front, top, and side screens.

- Immediate termination of trading privileges will occur if a trader is found in breach of critical food hygiene or temperature control laws.

Part 5: Compliance, Health & Safety, and Legal Duties

1. Statutory Health and Safety

Traders must comply at all times with all relevant UK statutory provisions, including but not limited to:

- **Health and Safety at Work etc. Act 1974**
- **The Management of Health and Safety at Work Regulations 1999**
- **The Provision and Use of Work Equipment Regulations 1998 (PUWER)**
- **The Electricity at Work Regulations 1989**

Traders must ensure that all stalls are erected safely, weighted/anchored sufficiently to withstand adverse weather, and that stock is transported safely. NTC retains the right to inspect any structure and order its immediate dismantling if it poses a safety hazard.

2. Electrical Equipment & Testing

- Traders requiring a connection to the Council's electrical supply must provide their own outdoor-rated cabling, extensions, and sockets.
- All electrical equipment must possess a current **PAT (Portable Appliance Testing) certificate**, which must be presented to the Council upon request. Connection will be refused for any uncertified or visually unsafe equipment.

3. Public Liability Insurance

- Every Trader must hold and maintain a valid policy of Public Liability Insurance providing minimum indemnity cover of **£5,000,000 (£5 Million)** for any single incident.
- Proof of valid insurance and food safety documentation must be produced to the Market Manager prior to trading and upon request annually.
- The Trader shall indemnify the Council against all claims, actions, damages, or proceedings arising out of the condition, erection, operations, or dismantling of their stall and equipment.

4. Waste Management

- Traders are legally responsible for the management and safe containment of their own commercial waste.
- Pitches must be kept clean and clear of litter throughout the day. Traders must provide their own commercial refuse bins or heavy-duty receptacles approved by the Council.

Part 6: Conduct and General Regulations

1. Trader Identification

- Traders must display a clear, legible, weather-resistant sign in a prominent position on their stall at all times.
- The sign must display the Trader's trading name or company name, be a minimum size of **A4 (210 mm x 297 mm)**, and feature lettering easily visible to the public.

2. Code of Conduct

- Traders must conduct business in an orderly, polite, and professional manner.
- No Trader shall engage in behaviour, shouting, or language likely to cause offence, distress, or nuisance to customers, members of the public, Council staff, or nearby bricks-and-mortar business occupiers.
- Stalls must not be left unattended during trading hours without the express permission of the Market Manager.

3. Audio Equipment

- The use of public address (PA) systems, radios, speakers, megaphones, or any sound-amplifying equipment is strictly prohibited unless express, written prior consent has been granted by the Market Manager.

4. Sub-letting and Product Control

- **Sub-letting:** Traders are strictly prohibited from transferring, sub-letting, sharing, or permitting any other individual or business to occupy their assigned pitch without prior written consent from the Council.
- **Approved Lines:** Traders may only sell or display goods that have been declared on their application form and approved by the Council (the Approved Product List). If a trader wishes to alter or introduce a new line of commodities, a written variation request must be submitted and approved by NTC prior to those goods being brought to market.
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5. Vehicle Movements

- Vehicles are permitted on site strictly for loading and unloading purposes.
- All delivery and setup vehicles must be clear of the market trading area by **8:15 a.m.**
- No vehicles are permitted to enter or move within the market area during trading hours unless specifically authorised by the Market Manager.
- Vehicles may return for breakdown and packing from around 3:30pm and must comply with specific staggered breakdown windows communicated by the Market Manager on each Market day.

Part 7: Charity, Religious, and Society Stalls

The Council welcomes non-commercial stalls to contribute to the diversity and vibrancy of the town centre, subject to the following operating criteria:

1. **Location:** All charity, promotional, information, and religious stalls will be located strictly within the designated Market Place zone, as directed by the Market Manager.
2. **Booking Limits:** To ensure a fair variety of causes, no single Charity, Religious Group, or Society may book a stall more than **twice (2 times) within a single calendar year**. All dates must be booked and approved in advance through the Newbury Town Council Services Team.
3. **Engagement Rules:** Representatives must remain within their designated pitch footprint. Active solicitation, confrontational pitching, or aggressive leafleting is prohibited; information should be given primarily to members of the public who approach the stall or express an interest.
4. **Acoustics & Monitoring:** Any amplified audio, public speaking, or preaching must be approved in advance. Volume levels will be strictly monitored by the Market Manager, who reserves the absolute right to order volume reductions or shut down the audio entirely if it causes a disturbance.
5. **Political Stalls:** To preserve the politically non-partisan nature of the NTC Charter Market, applications for political campaigning or party-political stalls will not be accepted within the Charter Market footprint. Such requests will be referred to the Newbury BID to determine if an independent position is available on Northbrook Street.
6. **Enforcement:** The Market Manager retains full authority to close any non-commercial stall without prior notice or explanation if these regulations or staff instructions are breached.

Part 8: Enforcement and Variations

1. The Council reserves the right to temporarily suspend or permanently exclude from the Market any Trader who breaches these Regulations or fails to comply with a lawful instruction given by the Market Manager or an authorised Council Officer.
2. Newbury Town Council reserves the right to amend, update, or append these regulations at any time. Except in emergencies or statutory mandates, amendments will normally occur following reasonable consultation with the Market's regular Approved Traders.

Contact details for further information:

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