

OUTDOOR MARKETS & EVENTS APPLICATION FORM

To trade at our markets and events you must register with the Council by completing this form. Please ensure that you have read and understood the Outdoor Markets and Events Rules and Regulations first. You should return the completed form to the Markets Office by email to markets@ashfield.gov.uk, or by post to Markets Office, Idlewells Market, Idlewells Shopping Centre, Sutton in Ashfield, NG17 1BP.

Name and contact details

|  |  |
| --- | --- |
| **First Name:** |  |
| **Last Name:** |  |
| **Business Name:** |  |
| **Email Address:** |  |
| **Mobile number:** |  |
| **Other phone number:** |  |

Public liability insurance details

Please supply a copy of your insurance documentation.

|  |  |
| --- | --- |
| **Policy Expiry Date:** |  |
| **Insurance Supplier:** |  |
| **Policy Number:** |  |

Other personal details:

|  |  |
| --- | --- |
| **Address:** |  |
| **Postcode:** |  |
| **NI Number:** |  |
| **Website:** |  |
| **Social media accounts:** |  |

Goods to be sold

Please provide a comprehensive list of the goods and services you wish to offer.
It may help your application if you include photos of your stall display or your product range.

|  |
| --- |
| **Goods and services details:** |
|  |

Outdoor markets

Which of our weekly outdoor markets do you wish to attend?

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Market** | **Days** |  |  |  |  |  |
| **Hucknall:** | Friday |  | Saturday |  |  |  |
| **Kirkby:** | Tuesday |  | Friday |  | Saturday |  |
| **Sutton:** | Monday |  |  |  |  |  |

|  |  |
| --- | --- |
| **Date you would like to start trading:** |  |
| **Weekly trading or Pop-up stall:** |  |

Events

Which of our events would you like to attend?

|  |  |  |  |
| --- | --- | --- | --- |
| **Event Name** |  | **Event Date** |  |
| **Event Name** |  | **Event Date** |  |
| **Event Name** |  | **Event Date** |  |

If you are applying to sell food:

All food traders must be registered with a Local Authority and will be required to have obtained a minimum 5 star on the UK Food Hygiene Rating Scheme (FHRS).

|  |  |
| --- | --- |
| Which local authority are you registered with? |  |
| What is your food hygiene rating? |  |
| Date of last inspection |  |

Stall details

|  |  |
| --- | --- |
| If you want to use a Council supplied stall, how many stalls do you need? |  |

If you want to use your own stall, gazebo, trailer, etc. please provide as much detail as possible including dimensions of the space required.

A photograph or sketch would be very helpful.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Retail Unit Type** | **Quantity** | **Length (inc tow bar)** | **Width** | **Height** |
| **Gazebo** |  |  |  |  |
| **Trailer** |  |  |  |  |
| **Van** |  |  |  |  |

Power sources

Please provide details of what power sources and fuels you intend to use.

**Note: Petrol Generators are not permitted.**

**Enclose PAT & Gas safe certificates where applicable.**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| LPG Gas (cooking) | Diesel Generator | LPG Generator | Solar Panel | Battery / Rechargeable |
|  |  |  |  |  |

Declaration

In signing this application form I am agreeing to abide by the Outdoor Market - Rules and Regulations and the directions of the Market Officer.

|  |  |
| --- | --- |
| **Signed** |  |
| **Date** |  |

**UK General Data Protection Regulation (UK GDPR) / Data Protection Act 2018 (DPA) - Privacy Notice.**

Under the UK GDPR and DPA, Ashfield District Council, Urban Road, Kirkby in Ashfield, Nottingham.  NG17 8DA is a Data Controller for the information it holds about you. The Council will hold your name, address, contact and business details provided by you for the operation and administration of the Markets Service.  The lawful basis under which the Council uses personal data for this purpose is Contract and Public Task.

Your data will be held for seven years after you finish trading with us or as long as it is necessary to fulfil our initial purposes for collecting your data, and in any event, in accordance with the Council’s Privacy Notice and Retention Schedule. Subject to some legal exceptions, you have the right to request a copy of the personal information the Council holds about you; to have any inaccuracies corrected; to have your personal data erased; to place a restriction on our processing of your data; to object to processing; and to request your data to be ported (data portability). The information provided by you may also be used for other functions carried out by the Council in accordance with UK GDPR and DPA.  For more information about how the Council may use your data and to learn more about your rights please see the Council’s Privacy Notice: [www.ashfield.gov.uk/privacy](http://www.ashfield.gov.uk/privacy)

If you have any concerns or questions about how your personal data is processed, please contact the Council’s Data Protection Officer at the above address or by email to dpo@ashfield.gov.uk . If you are dissatisfied with the Council’s response you can complain to the Information Commissioner's Office in writing to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF or by telephone 0303 123 1113 (local rate) or 01625 545 745.

****

OUTDOOR MARKETS AND EVENTS

Rule and regulations to occupy a stall or pitch

Ashfield District Council aim to develop and support thriving and successful markets as part of their vision to create an Ashfield, where people want to live, work, play and be involved. We see markets and events providing a valuable service for their local community, not only in the provision of goods, but as a low-risk entry into the world of business.

The Council are keen to support our market traders and encourage new people to take up market trading.

People trading from the markets and events must abide by the following rules and regulations to ensure that the markets are safe and secure for all users of the markets. Please read them carefully and ensure you understand them fully before signing the application form.

If you have any questions, please contact the Ashfield Markets Team:

Markets Office

Idlewells Shopping Centre

Sutton in Ashfield

NG17 1BP

Tel: 01623 551385

Email: markets@ashfield.gov.uk

**Please retain a copy of this rules and regulations document for your reference**

**All traders must ensure full compliance with all rules and regulations as follows:**

1 Definitions

1.1 The ‘Council’ is defined as Ashfield District Council.

1.2 The ‘Market Officer’ includes any employee appointed by the Council to manage their markets.

1.3 The ‘Trader’ includes any person representing the trader including their employees, agents or representatives whether paid or unpaid.

1.4 The ‘Stall’ includes any stall, pitch or space provided by the Council and any vehicles or stalls provided by the trader.

2 Applying for a stall

2.1 All traders must complete a casual application form before being allocated a stall. As part of the application process traders must provide evidence of their identity and their right to work in the UK. A passport, or NI number and proof of address, is usually sufficient.

2.2 On the application form the trader must state the type of goods they wish to sell. The Market Officer will decide which goods the trader is permitted to sell, and no variations will be allowed unless confirmed in writing by the Market Officer.

2.3 All traders are classed as casual traders. There is no right to attend the market or occupy a particular stall.

2.4 All traders must hold and maintain valid insurance cover for third party public liability with a limit for claims of not less than £5 million.

2.5 The trader must notify the Market Officer in writing if there is any change to the trader’s personal details.

2.6 The Council is required to protect the public funds it administers and may share information provided to it with other bodies responsible for administering public funds, in order to prevent and detect fraud. To see the Council’s full Data Matching, Fair Processing Notice visit the website at www.ashfield.gov.uk.

3 Trading days and hours

3.1 The trading days and hours at our regular weekly markets are:

**Hucknall Market - 9.00am until 4.00pm**

General retail market on Fridays and Saturdays.

**Kirkby in Ashfield Market – 9.00am until 3.00pm**

General retail market on Tuesdays, Fridays and Saturdays.

**Sutton in Ashfield Market – 9.00am until 4.00pm**

General Retail and Bargain market on Mondays.

3.2 The trading hours at events markets may vary and will be as advertised.

3.3 The markets will be closed on Christmas Day, Boxing Day, New Year’s Day and Bank Holiday Mondays.

3.4 The Markets may trade on extra days as the Council may direct.

4 Hours of access and trading

4.1 Traders must not bring any goods or equipment to the market before 6.00 a.m. nor allow any goods or equipment to remain in the market after 5.00 p.m. (regular weekly markets) Traders must not interfere with the stall erection or dismantling operations. Access times for events markets may vary and will be as advised to suit the event.

4.2 All traders for the regular weekly markets must arrive at the market by 8.30a.m. After this time the Market Officer may allocate their stall or pitch to another trader.

4.3 All vehicles, trolleys, pallets, cages, etc. must be removed from the Market at least 30 minutes prior to the market or event start time. Vehicles must not return to the Market before the stated market or event end time unless permitted by the Market Officer.

4.4 Whilst on the Market, all vehicles must be positioned to avoid obstructing other vehicles and deliveries to adjacent stalls or shops or pedestrians. Vehicles must be unloaded and loaded without delay and not left unattended. They must be removed from the Market Place without delay.

4.5 The Market Officer may, in their absolute discretion, cancel the market for any reason, either before or during the event, the council will not be liable for the following:

a) A refund

b) Damages or any losses incurred by the cancellation of the market

In the event of cancellation of an event due to government restrictions in relation to the Covid pandemic, all stall fees and charges received by the Council will be refunded.

5 Payment of fees and charges

5.1 All fees and charges for the use of the stall and other facilities, as approved from time to time by the Council, are payable on demand on the day of trading for regular weekly traders. Events traders must pay their stall and pitch fees in advance of the event date.

5.2 The Council do not accept cash or cheques, all payments must be made by credit or debit cards.

6 General regulations

6.1 The trader must comply with all relevant statutes, statutory instruments, Local Acts, Byelaws and Common Law.

6.2 The Market Officer may, in exceptional circumstances, alter, vary or rescind any of these regulations, either in respect of individual traders or groups of traders, subject to such alterations being of temporary nature only. The trader must comply with the directions of the Market Officer.

6.3 The trader must conduct themselves in a manner which, in the opinion of the Market Officer, does not cause a danger, annoyance, nuisance or impediment to any market users, traders, shopkeepers or members of the public.

6.4 No animal must be brought onto the Market except as authorised by the Market Officer.

6.5 No child must be employed upon the Market except in strict accordance with the relevant statutory legislation.

6.6 The “pitching” of goods (shouting to advertise their availability) is allowable at the discretion of the Market Officer. P.A. systems, microphones and loudspeaker systems are not permitted.

6.7 Any sale by auction, canvassing, market research or personal questionnaire is expressly prohibited.

6.8 The trader must not exhibit any display or advertising material other than in respect of the goods they are permitted to sell as agreed with the Market Officer.

6.9 The trader must comply with the Equalities Act 2010 as amended and must not discriminate directly or indirectly based on any of the protected characteristics contained in the Act.

7 Prohibited goods

7.1 Tobacco, including products containing tobacco are not permitted to be sold from the market.

7.2 Goods that are inappropriate, counterfeit, offensive or dangerous may not be sold on the Market. The Council supports the ‘Real Deal Initiative’.

**8 Regulations relating to the use of the stalls**

8.1 The pitch may be allocated before or on arrival and will be the shape and size as agreed with the markets office.

8.2 During the trading hours the trader must prominently display a name board on the stall stating the name of the trader, or the business name, legibly and conspicuously.

8.3 During the trading hours all goods, fixtures and fittings must be stored, exhibited or exposed for sale within the designated perimeter of the stall only. No goods or equipment must encroach into the public circulation areas of the market.

8.4 The trader must not adapt or alter any fixture or fitting forming part of the stall and must not remove the roof sheets or attach any extensions to the stall without the express permission of the Market Officer. Side sheets may be added and/or removed as required by the stall holders.

8.5 Traders wishing to trade from their own stall, or from a vehicle, must obtain the written permission of the Market Officer. The stall or vehicle must be strong and robust and be of good visual appearance to enhance the appearance of the market. Any request should be supported by photographs, details and measurements of the proposed arrangement, showing the proposed overall appearance during trading hours. The Council reserves the right to terminate any agreement if they consider the bespoke trading vehicle or trailer have a negative impact on the market.

9 Use of electricity and connections

9.1 ONLY DIESEL OR LPG GENERATORS will be permitted.

9.2 All electrical equipment must be supported by P.A.T. certification.

9.3 Flexible cables should not be laid in areas accessible to the public unless they are protected against mechanical damage.

9.4 Mechanical protection or armoured cables should be used wherever there is a risk of damage. Cables offering integral mechanical protection are steel wire armoured or cable with external protective steel wire braid. Where flexible cables are used above floor level they should not be unsupported across gaps wider than two meters without the use of a suitable catenary wire support.

9.5 Any connectors should be IP67 rated or better and protected against damage.

9.6 Electric fires, heaters, and petrol generators are prohibited.

10 Sale of fresh food

10.1 All fresh foods must be stored and displayed in accordance with food hygiene regulations and all edible goods including fruit and vegetables must be stored, displayed and sold from at least 300 mm above ground level. Some types of goods may require refrigeration – advice and guidance on handling methods is available from the Environmental Health section at Ashfield District Council.

10.2 All fresh food sellers must provide evidence of a five-star rating issued by a Local Authority Environmental Health Officer.

10.3 All fresh food sellers must provide written allergen information on all unpackaged food and make this available upon request.

11 Sale of alcohol

11.1 All sales of alcohol must be in closed containers for consumption off-site. Consumption of alcohol at the market or event is strictly prohibited.

11.2 All sales of alcohol or products containing alcohol are prohibited without prior written authorisation of the markets officer.

11.3 Sellers of alcohol products must apply to Ashfield District Council for a Temporary Event Notice (TEN) at least 21 days before the event, excluding the day of application and the day of the event.

11.4 You must forward a copy of your TEN to the markets office at least 7 days prior to the event, a further copy must be displayed at the event where it can easily be seen. If you do not have a TEN or are unable to produce a copy on demand you will not be permitted to trade.

12 Water

12.1 There is no access to potable water on site, where water is required the trader must bring their own in suitable containers.

13 Refuse disposal

13.1 No trade waste must be brought onto the Market. The trader shall be responsible for the control, collection and removal of trade waste in such a manner as prescribed by the Market Officer. Public litter bins must not be used for trade waste.

13.2 The trader must not discharge any noxious or foul liquid waste on the floor or in the drains at the market.

13.3 The trader’s stall and surrounding area must be left clean and clear of refuse at the close of trading.

**14 Health & safety requirements**

14.1 In accordance with the Health and Safety at Work Act. The trader must undertake a risk assessment of their working methods and implement control measures to mitigate against risk. Such risk assessments are to be kept under regular review. Please inform the Market Officer if you require any help or assistance with this.

14.2 All accidents and “near misses” involving traders, their staff or members of the public must be reported immediately to the Market Officer for investigation and entry into the accident book. It is the responsibility of traders to report all notifiable accidents and “near misses” to the Health and Safety Executive.

14.3 The trader must not bring onto the market flammable liquids, gases, fireworks or other sources which may cause fire or explosion. Cooking equipment may only be used with the prior written permission of the Market Officer. No equipment incorporating a naked flame may be used.

14.4 Cooking equipment may only be used with the prior written permission of the Market Officer. No equipment incorporating a naked flame may be used within council stalls.

14.5 On being requested to evacuate the market by the Market Officer or emergency services traders must leave the market without delay and, where possible and without danger to themselves or others, assist in directing customers away from the market area.

15 Customer complaints

15.1 Complaints made by a member of the public against a trader, will be notified to the trader and they will be requested to resolve the dispute. If this is not achieved the Markets Officer will arrange a private dispute resolution meeting between the parties.

15.2 If the Market Officer finds in favour of the member of the public the trader will be required to rectify the situation.

16 Breach of the rules and regulations

16.1 In the event of a breach of these rules and regulations the Market Officer will have regard to the severity of the breach and the type of misconduct involved. Gross misconduct is likely to lead to prohibition from any future markets or events.

16.2 For a breach by a regular weekly market trader, the Market Officer may a) suspend the trader from attending the market for a week without the right of appeal, b) suspend the trader from attending the market for up to 28 days subject to the appeals procedure, or c) prohibit the trader from attending the market subject to the appeals procedure.

17 Indemnity

17.1 The trader shall fully and effectually indemnify the Council against all costs, claims, demands, proceedings and losses whatsoever made against or incurred by the Council as a result of the traders exhibiting or advertising any goods or services at the market.

18 Appeals procedure

18.1 If a trader wishes to complain about any aspect of the operation of the Market, they should first address their concerns to the Market Officer. The Market Officer will seek to resolve issues and concerns fairly, openly and consistently.

18.2 If a trader is still unhappy with the outcome they may request a formal investigation to be conducted by the Market Retail Manager. The request must be made in writing and should clearly outline the trader’s grievance, including the provision of any evidence in support of their grievance.

18.3 The Market Retail Manager will convene a hearing with the trader. The Market Officer will present the reasons for their decision and the trader will be permitted to present their grievance. There will be an opportunity for both parties to raise questions of the other party and to summarise their positions. The Market Retail Manager will decide based on the evidence provided and confirm the outcome and reasons in writing.

18.4 If a trader is unhappy with the Market Retail Manager’s decision they may request a final appeal to the Town Centre and Markets Manager, or such other Council Officer as may be appropriate. The decision of the Markets and Town Centre Manager will be final.

19 Promotion

19.1 The Council reserves the right to record film and still images of the market or event for promotional purposes.

19.2 The council reserves the right to share details of the stall holders with the event sponsors.

Please note that during the current pandemic situation we are also asking traders to provide a COVID risk assessment to demonstrate that they are working safely. You can find more information about Working Safely online: <https://www.gov.uk/guidance/working-safely-during-covid-19> Most outdoor market traders need to comply with the guidance for Shops and Supermarkets.