

CONWY COUNTY BOROUGH COUNCIL

COLWYN BAY / LLANWRST MARKET– Operating Conditions

1. All traders operating within the bounds of Colwyn Bay/Llanwrst markets will operate as casual lets for each market day; no permanent pitches will be available (Wherever possible and to provide sustainable business opportunities and assist consumer confidence regular traders will be allocated to the same or a similar pitch).
2. In allocating pitches, regard to the type of trade and the best interests of the market shall be taken into account. If a particular type of trade predominates to the detriment of the market, no further similar types of trade will be allowed on the market.
3. No Market Stall shall be in excess of 10 metres in length, and shall not have a depth in excess of 3 metres, without consent of an Authorised Officer.
4. Traders must use the said stallage space in a businesslike manner and not allow to be done anything which in the opinion of an Authorised Officer may cause a nuisance or annoyance to the public, the occupiers of neighbouring stalls or be detrimental to the market
5. Traders must not erect any stalls or place any goods or equipment on the said stallage space or any part of the market, the day preceding market day or before 06.00 on market day
6. All stalls are to cease trading by 17.00 and all stalls vehicles, materials and waste etc must be removed from the market immediately afterwards
7. No lorries, vans cars, motorised and similar vehicles, other than those specifically allowed (food retailers/catering/machinery for the purpose of service) are to remain on the market at any time, all vehicles must be unloaded immediately prior to commencement of business and removed from the market area including access routes before 08.45 and not returned until 16.00. (At the discretion of an authorised officer there maybe an exception to this rule due to adverse weather conditions or in a case of emergency).
8. Traders must switch off the engine of any vehicle while discharging or loading goods to the market and ensure any spillage of fuel or lubricant is removed and cleaned as soon as practical, (the offending trader will be responsible for any subsequent cleaning charges).
9. Traders must not allow radio, loudspeaker or other audio equipment is to be played or broadcast before 09.00, from any stall or vehicle or otherwise within the permitted market area.
10. Traders must give evidence of identification to the Market Development Officer or any Authorised Officer if called upon to do so of him/her self and any person employed by him/her in the Market.
11. The trader must at all times insure himself and any other person employed by him on the market against liability to the public and any liability reasonably foreseeable in the course of his trade to the minimum sum of £2,000,000 or such higher figure as may from time to time be effective under the Market Traders Federation block policy and a Certificate of Insurance, or in the case of the National Market Traders Federation, a Membership Card, must be produced before a pitch is issued.

12. Traders must observe all the statutes and byelaws and regulations relating to the market.
13. Traders must permit an Authorised Officer or servants of the Council to examine the condition of any stall erected on the stallage space and to carry out any repairs as required by the Council.
14. Traders must not display or store goods outside the lines showing the outer limits of the stall nor to have any part of the erected stall protruding outside the boundary of the stall.
15. Traders must not cause any wilful damage to the Council's property and must repay the Council the cost of repairing or replacing any damage caused by the trader or his employees or servants.
16. Traders must not attract persons by pitching or hand selling goods by elevating himself upon a platform or upon anything raised above the floor level of the Market Area or by using audio or mechanical means unless authorised by the Market Development Officer (Such authorisation may be granted subject to specified conditions).
17. Traders are prohibited from offering for sale any form of live animal.
18. Traders are prohibited from offering for sale dangerous weapons including non fishing catapults, BB guns, swords, flick, combat or throwing knives.
19. Traders are prohibited from offering for sale or service any acupuncture, ear piercing, tattooing or electrolysis from any stall within the Council's Market.
20. Traders must conform to statutory standards of fair-trading. Allegations of unfair trading will be referred to the appropriate Trading Standards Department.
21. Traders must as often as may be necessary during the market day cause litter and all other refuse to be removed from the licensed stallage area so as to prevent the accumulation of such litter and refuse in the stall/pitch area and such litter and refuse shall be disposed of in an appropriate and lawful manner as directed by the Market Development Officer or Authorised Officer.
22. Traders must ensure a 4-metre clearway shall be kept open and unobstructed in the centre of Station Road, to allow emergency vehicular access.
23. Traders shall not use for the purposes of erecting/securing stalls, any street furniture, including seats, flower beds, lampposts, trees or any other structure within the permitted market area.
24. The sale of any foodstuffs in the Market is subject to the provisions of the Food Hygiene (Market, Stalls and Delivery Vehicles) Regulations 1966 or any amendment thereto or re-enactment thereof. Further information as to such requirements can be obtained from the Business Enforcement section of Regulatory Services.
25. The trader shall have no claim against the Council for any loss, injury or damage sustained through fire, theft or being forcibly evicted from the market for breach of any of the terms herein contained or for any other cause whatsoever. The trader shall have no claim for compensation for loss of goodwill or otherwise on the termination of this let.

26. In the event of any breach of these conditions or of any conduct prejudicial to the efficient management of the market, the Council may at its absolute discretion, commence a formal enforcement procedure.
27. Weather conditions will be assessed at 10.00 hrs by the Market Development Officer. In cases of extreme weather disturbance, the rent will be reduced at the officers' discretion to a level not lower than 50% of the prescribed rent.
28. On occasions, it may be necessary for the council to cancel the allocation of a particular pitch or pitches, on specific market days, in order to permit maintenance and other works to proceed in connection with adjacent premises and/or highway. In cases where a suitable pitch is not identified; traders may not be charged.
29. The Council shall determine any question arising from the interpretation of these conditions /agreement, and the decision made by the Council on any relevant matter, will be final and conclusive
30. The Market operates a limited goods policy, wherever possible traders duplicating goods or selling goods or lines of similar kinds (excluding clothing) are kept to a minimum and will be at the discretion of the Market Development Officer.
31. All traders must complete a formal application prior to trading within the bounds of the market.
32. Any trader refused permission to trade at the Market will be notified verbally at the soonest possible opportunity and receive written confirmation within fourteen working days of the refusal.
33. The conditions that form part of this document are subject to change, and may be reviewed at anytime, at the discretion of the Markets Management of Community Development Services.
34. Traders must pay all market fees or charges on attendance at each market day.