



Halton Borough Council

**Markets
Charging Policy**

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1.0 Widnes Market Hall

1.1 Opening Days and Hours

Widnes Market Hall is a five day market, which is closed on Tuesdays and Sundays. The opening hours are 9am to 5pm.

The market is closed on Bank Holiday Mondays, but opens on Good Friday. Additional Christmas opening days and hours are usually agreed during October each year after consultation with traders, but typically involve opening the market seven days a week for a period leading up to Christmas Eve followed by days when the market is closed.

There may also be occasions where the market opens for extra themed days or promotional events. Traders will be notified of these in advance.

Stalls within the Market Hall are expected to be open at all times when the market is open.

Although Tuesday is not a trading day, traders do have full access to the Market Hall on this day for stall maintenance and re-stocking between the hours of 9am and 4.45pm. Outside of these hours, traders must notify the market office staff of any additional access required for emergency purposes and a decision about whether this is possible will be made by the Market Officer.

1.2 Eligibility to Rent a Stall

All applications to rent stalls within the indoor Market Hall should be made to the Widnes Market office. Where an application is for a product or service which is not currently offered on the market, then a decision relating to whether this product can be sold/offered on the market can be 'fast tracked' enabling a decision to be made within two weeks. All other applications for indoor stalls are considered at the Markets Panel meetings which take place approximately every 4 weeks. In order to protect existing businesses within the Market Hall new stalls will not be allowed to open between 1st November and 31st December.

Where an application is successful, various pieces of identification will need to be provided by the applicant before they can commence trading. This includes: public liability insurance (insured to the sum of £5 million), three pieces of identification to include one item showing the name and home address of the applicant dated within the past 3 months, one item with photo ID and an item of identification showing the applicant's national insurance number, evidence of a traders eligibility to work in the U.K. will also be required. Applicants will also be required to sign a Tenancy at Will which will set out the terms and conditions of the agreement and will list the commodities/services they are able to sell/offer from their stall.

Where traders intend to sell products which are bound by Environmental Health regulations, Food Standards Agency regulations or other regulatory bodies, approval must be obtained by the Trader from the appropriate body prior to be able to commence trading.

No stalls will be rented to claims management companies i.e. businesses that handle claims for compensation in relation to personal injury, financial products/services (such as miss-sold payment protection insurance), employment matters, criminal injuries, industrial injuries, disablement benefit and housing disrepair.

1.3 Stall Rents

All Market Hall stall rents take into consideration the likely opening days and times across a year. This means that no additional charges are made if the Market Hall opens on additional days and likewise no compensatory payments are given if the Market Hall closes on a normal trading day.

All stall rents will be reviewed annually.

All new traders must pay Market Hall stall rents by direct debit.

a. Existing Traders

Rents at the indoor Market Hall were calculated for each stall on the following basis:-

Frontage – 83 pence per ft per week;
Area - 56 pence per sq ft per week.

This above prices include a 3% increase from April 2016

VAT is added to all rents at the appropriate rate.

Rents will be reviewed on an annual basis and where an uplift is applicable traders will be informed 3 months in advance of the due date which will be 1st April each year.

Any trader wishing to pay a lump sum equivalent to 12 month's stall rent in advance will be eligible for a 10% discount off their overall rent. Any trader wishing to do this should put their request in writing to the Market Office who will provide a full breakdown of prices for the year for consideration. Electricity and promotions charges will remain full price during any discounted period.

In addition to this, any trader who rents 5 stalls or more will be entitled to a 10% reduction in rent.

b. New Traders

Stall charges will be calculated using the same formula specified above under existing traders. A monthly price breakdown for each vacant unit is provided to all successful applicants so that they can make an informed decision about which unit they wish to rent prior to being made a formal offer of a stall.

Once a stall has been chosen by a successful applicant, a full schedule of monthly costs is provided to them with an offer letter. These are fixed monthly charges which include the stall rent, a cost for electricity usage and a charge towards market promotions. VAT is added to rent and electricity charges at the current rate.

As an incentive, all new traders to Widnes Market Hall are given a month rent free, which will be given in the 4th month of trading. If a trader is intending to sell a new commodity or bring a new service to the market, then they will be offered one additional month rent free in the 5th month of trading. Electricity and promotions charges apply in full during these discounted periods.

A deposit equivalent to one month's full price rent is also charged to all new tenants. Tenants will be invoiced for the deposit and it must be paid in full before they can commence trading. The deposit is fully refundable on vacating the same unit, provided that the tenant does not have any arrears, the stall has been left empty, free of rubbish and in a good state of repair, access passes have been returned and contact details have been left with the market office. Where all or any of the above exist, the deposit will be retained and used as payment towards these costs.

1.4 Other Charges

a. Electricity

All indoor market traders will be charged for electricity each month and this will be added to each monthly invoice.

All stalls are allocated a specific price banding relating to the electrical equipment provided on their stall and assumptions made about usage of this equipment based on the type of business that each trader operates. The decision relating to price bandings was made following guidance from Halton Borough Council's electrical contractor.

There are three price bands for electricity consumption:

- Band 1 – for low users is charged at a rate of £10 per month per stall plus VAT
- Band 2 – for medium users is charged at a rate of £30 per month per stall plus VAT
- Band 3 – for high users is charged at a rate of £65 per month per stall plus VAT

The above figures may be uplifted on an annual basis from 1st April, any uplift will reflect increases in the utility prices which the Council are charged by the utility companies.

All new traders will be asked to list all electrical appliances that will be used by their business on their application forms which will inform the price banding for their business.

Where costs associated with a business' electricity consumption is perceived to cost significantly more than the highest rate cited above then the Council will insist upon a meter being installed on the unit(s) for monitoring purposes. If after a period of no less than a 3 months the business is showing to use more electricity than the upper band assumes then this tenant will be required to pay by the meter thereafter.

It should also be noted that where a business uses additional electrical equipment on their stall or conversely where a business reduces the electrical equipment used on their stall, this could lead to changes in the amount their business is charged each month.

Several units within the Market Hall have an electric sub-meter. They will be invoiced quarterly by the Council based on the consumption used and the current rates the Council are being charged.

b. Promotions Charges

All traders will pay a monthly fee of £7.59 per stall towards Widnes Market promotional activities. This charge is exempt from VAT.

Traders are reminded that the promotions budget can only be spent on marketing activities which will benefit the market as a whole and cannot be spent on promoting or naming individual stalls. The promotional activities undertaken by the Sales, New Business and Marketing Officer and the Corporate Communications Team is designed to complement, but should not be seen as a replacement for individual stall holders own marketing strategies.

c. Fixtures and Fittings

All fixtures and fittings within a stall should be removed on termination of a Tenancy at Will. If the tenant fails to do this within seven days of vacating a stall all structures, fixtures and fittings remaining in a stall shall become the property of the Council who will have power to dispose thereof as it thinks fit and recover its expenses in so doing from the tenant.

Any trader wishing to leave shutters and shop fronts in position following the vacation of a unit, should make enquiries with the market office.

d. Discounts for Additional Stalls

Existing traders who have traded in the market for a period of six months or more and who wish to expand into an adjacent/ other stall or relocate to a larger stall elsewhere in the market are offered half price rent for the additional space as an incentive for a period of six months. This is calculated as follows:

- The price of a trader's existing stall(s) excluding VAT is taken away from the price of the trader's new stall(s) excluding VAT to find the increase in rent.
- The trader is given a 50% reduction on this additional rent for a period of six months.
- VAT, electricity and promotions charges which will be charged at the full rate during any discounted periods.

Traders will only be given permission to expand where they do not have rent or other arrears associated with their existing stall or storage.

Traders will need to provide a deposit equivalent to a half month's full price rent for any new stalls. Tenants will be invoiced for the deposit and it must be paid in full before they can commence trading from the additional stalls. The deposit is fully refundable on vacating the same unit, provided that the tenant does not have any arrears, the stall has been left empty, free of rubbish and in a good state of repair, and contact details have been left with the market office. Where arrears exist, the deposit will be used as payment towards these arrears.

Traders are not entitled to reduced rents for expansions if they have downsized within the preceding last six months.

e. Traders' Car Park

Traders are welcome to use the traders' car park on a first come first served basis and no additional charge will be made for this. The traders' car park is open as follows:

	Opening Time*	Closing Time*
Monday	6.30am	6.00pm
Tuesday	6.30am	5.45pm
Wednesday	5.00am	6.00pm
Thursday	6.30am	6.00pm
Friday	6.00am	6.00pm
Saturday	6.00am	6.00pm

*These times may vary from time to time.

A barrier system operates to ensure that spaces are available to traders at all times. Whilst the system does have an intercom system for the barrier to be opened for them, there is no guarantee that there will always be someone available to do this. It is, therefore, recommended that traders purchase a barrier fob from the market office. The cost for this is £30, but this is fully refundable on return of the working fob.

Traders are reminded that it is ultimately their responsibility to open the barrier for their deliveries.

f. Door Access Pass

All tenants will be issued with one door access pass to gain access to the traders' facilities on the first floor. This includes the traders' toilets, traders' mess, store rooms and post rooms. Further door access passes for multiple stalls (up to a maximum of three passes per two stalls) can be issued for named employees at a cost of £10 per pass.

Where an access pass is lost a charge of £10 is made for a replacement.

Traders are required to hand their door access pass back to the Market Office on vacating their stall.

1.5 Assignment of Tenancy at Wills

The assignment of a Tenancy at Will is not permitted.

1.6 Daily Licences

Indoor stalls can be rented if available on a daily licence by non-profit making organisations, local community groups or registered charities at no charge (up to a maximum of four days a year).

All organisations, charities and community groups need to provide the following information when booking a stall:

- Full details of the activities that are to be undertaken from the stall including details of any products or services to be offered;
- If a charity wishes to collect money from the public, a licence needs to be obtained from the Licensing Manager of Legal Services (Kay Cleary 0151 511 7879) prior to making a booking. This needs to be presented to the Market Office at the time of booking;
- Details of the organisation's name and address along with a copy of a charity's registered charity number (if applicable). This could be a letter drafted on headed paper; and
- A copy of a Public Liability Certificate in the organisation's name, insuring for the sum of £5million.

The decision regarding the suitability of an indoor stall to any of the organisations specified above rests with the Market Officer and all applications should be made to the market office. To qualify for a rent free stall organisations would not be expected to sell any items and should instead offer a free service/ provide information/ or carry out a promotion. There may be exceptions to this rule, but this would only be with prior consent from the Market Officer.

Where a profit making organisation/ trader wishes to rent a vacant stall in the Market Hall or a charity wishes to sell goods from an indoor stall, applications must be made in writing to the market management team. All applications must specify the activities that they wish to carry out from the stall and any products/ services that are to be offered either for sale or otherwise. The decision relating to the suitability of an indoor stall for the uses specified rests with the Market Officer where a trader wishes to sell an item/ offer a service which is not currently available in the Market Hall or where a stall is rented as part of a wider market promotions such as Love Your Local Market fortnight and Widnes on Sea. All other applications will need to be referred to the New Stalls Panel for a decision.

A charge will be made based on the daily outdoor rent for casual traders/ charities and a daily licence will need to be signed.

2.0 Widnes Open Market

2.1 Opening Days and Hours

The Widnes Open Market is open on Monday, Friday and Saturday.

The trading hours are 9am to 3pm.

2.2 Eligibility to Rent a Stall

All applications to rent stalls on the outdoor Market are to be made to the Widnes Market office. Where an application is successful, various pieces of identification will need to be provided by the applicant before they can commence trading. This includes: public liability insurance (insured to the sum of £5 million), three pieces of identification to include one item showing the name and home address of the applicant dated within the past 3 months, one item with photo ID and an item of identification showing the applicant's national insurance number, evidence of a traders eligibility to work in the U.K. will also be required. Stalls can only be booked once a trader's commodities have been approved. All outdoor traders will be required to sign a licence.

Where traders intend to sell products which are bound by Environmental Health regulations, Food Standards Agency regulations or other regulatory bodies, approval must be obtained by the Trader from the appropriate body prior to be able to commence trading.

No stalls will be rented to claims management companies i.e. businesses that handle claims for compensation in relation to personal injury, financial products/services (such as miss-sold payment protection insurance), employment matters, criminal injuries, industrial injuries, disablement benefit and housing disrepair.

2.3 Charges for Casual Traders

All new traders on the open market are treated as casual traders and the following daily charges apply:

	Rent	Promotions	Daily Rent (per stall)
Monday	£12.95	£0.35	£13.30
Friday	£19.15	£0.35	£19.50
Saturday	£21.15	£0.35	£21.50

Casual traders only pay when they trade and a member of staff collects rent on the day.

2.4 Charges for Regular Traders

After 3 months of continual trading, casual traders can apply to become a regular trader. Regular traders are offered discounted rent for their stall(s) on Mondays, Fridays and Saturdays, but pay for their stall(s) all year round unless they are taking a day's holiday or can provide evidence to show that they are not fit for work.

There is also a three day trading offer where traders pay a fixed reduced amount if they have at least one stall on a Monday, Friday and Saturday. See table below:

	Rent	Promotions	Daily Rent (per stall)
Monday	£11.65	£0.35	£12.00
Friday	£17.15	£0.35	£17.50
Saturday	£19.15	£0.35	£19.50
3 Day Trading	£38.25	£1.05	£39.30

Regular traders are allocated regular stalls. The allocation of a stall or space is personal to the trader who cannot then assign, transfer, share or part with the stall or space allocated. The trader shall only trade from the stall or space allocated at the prescribed times.

Regular traders pay on their first trading day for all the stalls that they have been allocated that week. If a stall adjacent to a trader is vacant after 9am, traders are permitted to use these stalls on that day for no extra cost. Where two traders wish to expand into a vacant stall and agreement cannot be reached between the two traders, the final decision rests with the market management team.

Regular traders need to give at least 24 hours' notice if they wish to rent an additional stall over and above what is currently allocated to them on a particular trading day. Regular traders also need to give one week's written notice if they wish to cease trading as a regular trader or if they wish to reduce their stall numbers. Any regular trader who has arrears equivalent to two weeks rent either through non-attendance without prior notification to the market office or non-payment of rent will lose their allocated stalls.

a. Holidays for Regular Traders

Each regular trader is entitled to a two week payment holiday a year, which must be booked in advance in writing to the market office. These holidays must relate to the days that they are registered with the market office to work as a regular trader. For example a trader who is currently registered to trade on a Saturday only would be entitled to two Saturdays' holiday without payment. Holidays are only allowed where traders are fully up-to-date with their rent payments.

In addition, any regular trader who is fully up to date with their rent and/or storage payments at the end of the year will be offered a discount of 50% off the following February's stall charges (maximum 4 weeks). Again, this discount only applies to the days that a trader is registered with the market office to work as a regular trader. Any additional trading days will be charged at the full daily rate for a casual trader.

b. Inclement Weather

From time to time a decision is made to not charge regular and casual traders for a particular day due to inclement weather. This decision rests with the market management team and their decision is final.

c. Bank Holidays/ Other Closures

Where the market is closed on a Bank Holiday or for any other reasons, regular traders' rents will be adjusted accordingly.

d. Calculation of Discounted Rents

In circumstances (b) to (c) above the discounted regular trader's rent for a week will be calculated by: dividing the weekly rent normally paid by the regular trader by the number of days that they usually trade in a week to calculate an approximate daily figure. This is then multiplied by the number of days that they have traded that week.

As traders pay on the first trading day any rent which is due to be credited to a trader will be taken off their next week's full price rent.

2.5 Charges for Flea Market Traders

The flea market operates every Wednesday between 9am and 5pm and all traders pay £19.00 per stall/ pitch. This includes £0.35 per stall towards market promotions.

Although there are a number of flea market traders with a regular pitch, the stall charge is a casual rate with traders only paying for their stall when they trade. Any vacant stalls are allocated to traders turning up on the day.

2.6 Charges for Registered Charities

A discounted rate for registered charities is in place on all open market days, although a maximum of two registered charities are allowed onto the market on each trading day.

In order to qualify for discounted rent, registered charities must book their stall in advance noting at the time of booking that they wish to qualify for the reduced charity rents.

Registered charities also need to provide the following information when booking a stall:

- Full details of the activities that are to be undertaken from the stall including details of any products or services to be offered for sale or otherwise;
- If a charity wishes to collect money from the public, a licence needs to be obtained from the Licensing Manager of Legal Services (Kay Cleary 0151 511 7879) prior to making a booking. This needs to be presented to the Market Office at the time of booking;
- A copy of the charity's registered charity number, along with details of the charity's name and address. This could be a letter drafted on headed paper; and
- A copy of a Public Liability Certificate in the charity's name, insuring for the sum of £5million.

The charity rates per stall are as follows:

Monday	£10.30
Wednesday	£13.00
Friday	£13.30
Saturday	£15.40

£0.35 of each stall charge will be allocated to Widnes Market promotions.

2.7 Other Charges

a. Promotions Charges

Promotions charges for outdoor traders including flea market traders are included in the prices for all stalls and are set out in the text above.

The promotions budget generated by this income is managed by the Communications and Marketing team who carry out marketing activities with the principal aim being to bring additional footfall into Widnes Market. A marketing plan for each financial year is agreed with traders through the trader's committee.

Traders are reminded that the promotions budget can only be spent on marketing activities which will benefit the market as whole and cannot be spent on promoting or naming individual stalls. The promotional activities undertaken by the Communications and Marketing team is designed to complement, but should not be seen as a replacement for, individual stall holders own marketing strategies.

b. Traders' Car Park

All traders are welcome to use the traders' car park on a first come first served basis and no additional charge will be made for this.

The traders' car park is open as follows:

	Opening Time *	Closing Time *
Monday	6.30am	6.00pm
Tuesday	6.30am	5.45pm
Wednesday	5.00am	6.00pm
Thursday	6.30am	6.00pm
Friday	6.00am	6.00pm
Saturday	6.00am	6.00pm

*These times may vary from time to time.

A barrier system operates to ensure that spaces are available to traders at all times. Whilst the system does have an intercom system for the barrier to be opened for them, there is no guarantee that there will always be someone in the market office to answer this. It is, therefore, recommended that traders purchase a barrier fob from the market office. The cost for this is £30, but this is fully refundable on return of the working fob.

Traders are reminded that it is ultimately their responsibility to open the barrier for their deliveries.

c. Door Access Pass

Outdoor traders can be issued with one door access pass on request to gain access to the traders' facilities on the first floor. This includes the traders' toilets, traders' mess, store rooms and post rooms. Further door access passes for regular traders with larger stalls (up to a maximum of three passes per two stalls) can be issued for named employees at a cost of £10 per pass.

Where a door access pass is lost a charge of £10 is made for a replacement. This should be handed back to the Market Office when a trader chooses to cease trading.

3.0 Widnes Market Hall Events Space/Foyer

3.1 Eligibility to Use the events space

The Market Hall events space/foyer can be booked by registered charities only by application to the Market Office. Up to two different registered charities can be booked into the promotions space in the foyer on a single day.

Charities need to provide the following information when booking their space:

- Full details of the activities that are to be undertaken from the foyer space including details of any products or services to be offered for sale or otherwise;
- If a charity wishes to collect money from the public, a licence needs to be obtained from the Licensing Manager of Legal Services (Kay Cleary 0151 511 7879) prior to making a booking. This needs to be presented to the Market Office at the time of booking;
- A copy of the charity's registered charity number, along with details of the charity's name and address. This could be a letter drafted on headed paper; and
- A copy of a Public Liability Certificate in the charity's name, insuring for the sum of £5million.

The decision relating to whether a registered charity can use the space, based on the information provided, rests with the Market Officer.

A daily licence will need to be signed by the person representing the charity on the day.

3.2 Charges

Registered charities are not charged a fee for renting promotions space in the Market Hall. Charities can use the events space for up to a maximum of four trading days a year.

4.0 Widnes Market: Store Rooms and Containers

4.1 Store Room Charges

The following store rooms are available to rent by Widnes Market traders.

- Store rooms A-M are located on the first floor and have lift access. Access is via a security pass controlled entrance inside the Market Hall next to the public toilets.
- Store rooms 1- 5 are located on the first floor along the corridor by the trader's mess. There is no lift access to these stores. Access is from the outside of the market building via a security pass controlled entrance off Morrison's square.
- Store rooms FM1 - FM3 are located on the ground floor with access via a security pass controlled entrance on the outside of the market building next to the Fish and Meat market.
- Store rooms WR01-WR02 are located on the ground floor with access through the wash room on the inside of the market hall next to the public toilets.

Store Rooms A-M – Charged at a rate of £10.81 / sq m (first floor)

	Area (sq m)	Monthly Rent
Store A	5.0	£54.08
Store B	5.1	£55.16
Store C	5.1	£55.16
Store D	3.7	£40.02
Store E	3.3	£35.69
Store F	5.7	£61.55
Store G	5.3	£57.32
Store H	5.1	£55.16
Store I	5.9	£63.81
Store J	3.1	£33.53
Store K	5.3	£57.32
Store L	5.1	£55.16
Store M	5.2	£56.24

Store Rooms 1-5 – Charged at a rate of £9.78/ sq m (No lift access)

	Area (sq m)	Monthly Rent
Store 1	3.2	£31.31
Store 2	5.5	£53.82
Store 3	7.4	£72.41
Store 4	4.7	£45.99
Store 5	4.7	£45.99

Store Rooms FM01 – FM03 – Charged at a rate of £11.84 / sq m (ground floor)

	Area (sq m)	Monthly Rent
Store FM01	9.9	£117.27
Store FM02	10.02	£118.69
Store FM03	8.5	£100.68

Store Rooms WR01 – WR02 – Charged at a rate of £11.84/ sq m (ground floor)

	Area (sq m)	Monthly Rent
Store WR01	3.2	£37.90
Store WR02	3.5	£41.46

All rents are charged on a monthly basis with VAT added at the appropriate rate. Traders are invoiced for the monthly rent each month. The prices outlined above were introduced from 1st April 2016.

All tenants who have a store room will be issued with one access pass (if they do not already have one) to ensure that they can gain access to their store rooms throughout the day. The pass will also enable access to the traders' toilets, traders' mess and post rooms. Where an access pass is lost a charge of £10 is made for a replacement.

All traders who use a store room will be asked to sign a licence. The minimum term for renting a store room is one month and one month's written notice should be provided to the market office staff should the licensee wish to terminate this.

Rent will continue to be charged to the licence holder for the store room if the terms of the licence have not been met. This includes emptying the store room by the termination date and ensuring that the key has been returned to the market office staff.

4.2 Container Charges

There are currently 12 containers sited on the traders' car park. No further containers can be sited on the trader's car park unless an existing container is removed.

Traders who have sited containers in the traders' car park pay ground rent at a rate of £40.00 per month plus VAT for containers of 20ft or less and £80.00 per month plus VAT for containers that are over 20ft. Traders are invoiced for this amount each month.

All traders who use a container will be required to sign a licence. The minimum term for paying ground rent for a container is one month and a minimum of one month's written notice should be provided to the market office should the licensee wish to terminate this.

The preferred method for terminating a container licence is to move the container off site by the agreed termination date. This cannot be carried out without prior agreement of removal date and time with the market office.

Alternatively, traders have the option of selling the container on to a trader who trades regularly on Widnes Market either as a regular trader on the outdoor market or who has had a stall within the Market Hall for over six months. In both cases the new trader must be up to date with their rent payments. If the licensee chooses this route then they must be aware that the container licence cannot be terminated until an account has been set up and a new licence signed by the new trader. In order to ensure that the new trader meets the criteria for siting a container on the trader's car park, the new trader should gain approval from the Market Office staff before the container changes ownership.

Halton Borough Council **Markets Protocol**

Section 1 Market Regulations

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1. Introduction

It is in the interests of the Council and stallholders that the Markets operate effectively and provide a safe, comfortable, and appealing environment in which the public can enjoy a positive shopping experience.

These regulations support this aim and provide traders with a framework within which the Council will operate its markets. However, it has to be recognised that this document cannot cover every set of circumstances that may arise during the day to day operation of the markets. As a consequence they should not be treated as an exhaustive or definitive list of all possible situations in which the Council may be required to exercise proper authority in the discharge of its functions. As such, this document will be subject to periodic review and assessment.

Equally, this document is intended to provide a guide for both traders and officers of the Council in respect of roles and responsibilities for the smooth running of the markets.

This section is one of a suite of documents which form the Council's Markets Protocol, and should be read in conjunction with the Market Charging Policy, The Markets Protocol Section 2- Contravention of Regulations Procedures, Traders Tenancy at Will documentation and Traders licenses.

Nothing in this Markets Protocol Section 1 Regulations confers or purports to confer on any third party any benefit or any right to enforce any term of this Contravention of Regulations document.

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Retail Market Regulations

The following regulations apply to the management of all indoor and outdoor retail market stalls and spaces operated or owned by Halton Borough Council. The regulations will be subject to regular periodic review and existing traders will be provided with updated copies once they have been approved by the Executive Board.

2. Trader Registration

All traders on any of Halton Borough Council's retail markets must be registered with Halton Borough Council. To register traders must complete the 'Retail Market Trading application Form' and produce three pieces of identification and proof of Public Liability Insurance (insured for the sum of £5 million) - further details available on the application form

Traders must provide written confirmation to the Council of any changes in information previously provided to the Council within 7 calendar days of such changes occurring.

3. Eligibility to Rent Stalls

a. Eligibility to rent a stall at the indoor Market Hall

All applications to rent stalls within the indoor Market Hall should be made to the Widnes Market office. Where an application is for a product or service which is not currently offered on the market, then a decision relating to whether this product can be sold/offered on the market can be 'fast tracked' enabling a decision to be made within two weeks. All other applications for indoor stalls are considered at the Markets Panel meetings which take place monthly. In order to protect existing businesses within the Market Hall new stalls will not be allowed to open between 1st November & 31st December.

Where an application is successful, various pieces of identification will need to be provided by the applicant before they can commence trading. This includes: public liability insurance (insured to the sum of £5 million), three pieces of identification to include one item showing the name and home address of the applicant dated within the past 3 months, a item with photo ID and an item of identification showing the applicant's national insurance number, evidence of a traders eligibility to work in the U.K. will also be required. Applicants will also be required to sign a Tenancy at Will which will set out the terms & conditions of the agreement and will list the commodities and/or services that they have been permitted to sell/offer from their stall.

b. Eligibility to rent a stall at the outdoor Market

All applications to rent stalls on the outdoor Market are to be made to the Widnes Market office. Where an application is successful, various pieces of identification will need to be provided by the applicant before they can commence trading. This includes: public liability insurance (insured to the sum of £5 million), three pieces of identification to include one item with the name and home address of the applicant dated within the past 3 months, an item with photo ID and an item of identification showing the applicant's national insurance number, evidence of a traders eligibility to work in the U.K. will also be required. Stalls can only be booked once a trader's commodities have been approved. All outdoor traders will be required to sign a licence.

c. General

Where traders on either the indoor or outdoor Market intend to sell products which are bound by Environmental Health regulations, Food Standards Agency regulations or other regulatory bodies, approval must be obtained by the Trader from the appropriate body prior to be able to commence trading, and evidence must be provided to the Market office of same.

No stalls on the indoor or outdoor market will be rented to claims management companies i.e. businesses that handle claims for compensation in relation to personal injury, financial products/services (such as mis-sold payment protection insurance), employment matters, criminal injuries, industrial injuries, disablement benefit and housing disrepair.

d. Allocation of stalls on outdoor Market to regular traders

The site or size of the stall or space allocated shall be at the absolute discretion of Halton Borough Council. The allocation of a stall or space is personal to the trader who shall not assign, transfer, share or part with the stall or space allocated. To be clear, sub-letting stalls or space is forbidden and, if proven, will lead to disciplinary proceedings being taken. The trader may, however, employ other persons to assist them with the day to day operation of the business. Traders should be aware that they remain wholly liable for the operation of the space or stall and the conduct of all those assisting with its operation.

The trader shall only trade from the stall or space allocated and at the prescribed times, and must not trade from any other stall or space unless expressly permitted to do so by Halton Borough Council.

The allocation of the stalls shall be on a weekly basis and the trader must comply with the terms as set out in the licence.

e. Allocation of stalls on Outdoor Market to casual traders

Casual stalls/spaces, if available, shall be allocated by contacting the Market Office before the day of trading.

Casual traders will be allocated stall/s numbers by the Market Office. Casual traders must not set up on any other stall or space.

The allocation of a stall or space is personal to the trader who shall not assign, transfer, share or part with the stall or space allocated. The trader may, however, employ other persons to assist him/her with the day to day operation of the business. Traders should be aware that they remain wholly liable for the operation of the space or stall and the conduct of all those assisting with its operation.

The trader shall only trade from the stall or space allocated and at the prescribed times, and must not trade from any other stall or space unless expressly permitted to do so by Halton Borough Council.

Halton Borough Council reserves the right not to allocate a stall or space to a casual trader if, in the opinion of the market manager, to do so would disrupt the balance of trade on the market.

4. Outdoor Market Stall / Space Charges

Weekly stall charges and all other weekly charges levied against Regular Traders shall be due on the last working market day of each week, (Saturday) and must be paid on demand.

All other charges must be paid on receipt of the account or by the date shown.

Where a trader is absent on any market day, and has been allocated a stall or space on a regular basis, a retainer fee equal to the normal day's fee shall be payable.

Charges in connection with Casual Traders must be paid on a daily basis, and in any case not later than 12:00 noon.

Halton Borough Council reserves the right to amend its charges as necessary, and will provide traders with 28 calendar days' notice of any changes to its charges.

5. Sale and Storage of Goods

For regular traders, only those goods specified In the Tenancy at Will or licence may be sold and or displayed. For casual traders only those goods agreed at the time of allocation may be sold, or displayed however traders may apply in writing to change the type of goods sold. Written approval from the Market Office must be obtained to change the type of goods sold.

The trader must endeavour to keep the stall or space well stocked with goods throughout the trading day.

Other than in lock-up stalls or spaces, no trader shall leave or deposit in the market any goods, packages, equipment, or vehicles after the closing time of the market.

Stalls must be vacated no later than 1 hour after the official closing time of the market, unless express written permission has been granted by Halton Borough Council

All goods offered for sale on Halton Borough Council “flea” markets must be second-hand i.e. they must have been sold by retail on a previous occasion.

6. Market Trader Representative

There is currently no fixed term tenure for the Market Trader representative post. From 1st April 2020 a Market Trader representative post with a 3 year tenure will be elected by the current traders. The remit of the position is to be the collective voice of the traders and to sit on the Market Panel, in an advisory capacity only, when the panel meet on a monthly basis to make decisions regarding potential new traders and new commodity requests. The Market Trader representative must make themselves available to attend the monthly meeting in the offices at Municipal Building, Kingsway, Widnes, WA8 7QF.

The existing post holder has agreed to continue to 31st March 2020. An election will be organised in due course.

7. Request to Amend Commodity lists

Any request to amend a commodity list must be made in writing to the Market office. Requests will be assessed on a monthly basis by the Market management team who will then put forward a recommendation to the Market panel who will decide on each request, following which the trader will be notified of the outcome of their request.

The Market panel will consist of:-
Portfolio Holder for Physical Environment
Operational Director : Economy, Enterprise & Property
Technical and Property Support Manager
Market Trader Representative

The Market panel's decision is final.

New Traders can only apply to add commodities to their original list after a period of 3 months from the start of their Tenancy.

8. Commodity Blocking

If a trader does not actively sell any commodity which has been approved and is on their commodity list, then after a period of three months Market management will offer that commodity to another trader in order to avoid commodity blocking. This includes any commodity a trader has been given approval to sell, regardless of when the commodity was approved.

9. Hours of Opening

The markets shall be open for trading during the prescribed times, details of which shall be clearly displayed at each market location.

All traders shall keep their allocated stall or space open for the sale of goods during the hours of opening. Halton Borough Council reserves the right to amend the opening hours, close or alter the layout of any part of the market or close and stop the sales from any stall or space at any time without being liable for any loss sustained by the trader, directly or indirectly, if it is considered in the best interest of the market or the general public.

10. Encroachment (building out)

No stall or space shall be altered or extended in any way without the consent of the Market office. Goods and equipment should generally be displayed within the boundary of each stall and the trader must conduct business from within the perimeter of that stall. It is recognised however that some traders may wish to display certain goods immediately outside the perimeter of their stall, this is permissible but only up to a maximum dimension of 600mm from the front edge of the angled floor plinth at floor level. This distance must be strictly adhered to otherwise this may impact on the ability of the public to move around the market in a safe manner.

Traders are not permitted to display or hang their goods in front of vacant units.

Market management reserves the right to remove goods displayed or deposited beyond the above limits which, in the opinion of the authorised officer, are causing a nuisance, obstruction or hazard. The goods shall be either placed within the boundary of the stall / space or removed to storage. The Council reserves the right to dispose of perishable goods which are deposited beyond the boundary of the stall or space.

Goods and equipment must not be placed on or hung from the stall roof or from supports or other fixtures unless provision has been made by Halton Borough Council specifically for that purpose.

No trader shall erect any canopy other than one approved, by Halton Borough Council. All clips used to secure sheeting must be suitable and provide sufficient and secure anchorage.

11. Conduct of the Trader

The trader shall at all times conduct their business in an honest, civil and business-like manner, without causing nuisance, obstruction or interference in any way with the general public or with the business of any other trader or retailer, and in compliance with instructions given by Halton Borough Council or the emergency services.

Traders must speak to other traders, staff members and the public in an acceptable manner. Raised voices, use of offensive/ inappropriate language, sexual harassment and aggression will not be tolerated and will lead to appropriate action being taken.

Bullying of any form will not be tolerated. This includes outdoor traders refusing to give up outdoor stalls which they are encroaching on and not paying for which have been allocated to another trader, also existing traders making new traders feel unwelcome.

Traders also have the right to expect staff to speak to them in an appropriate manner. Should a trader feel that a member of staff has not acted appropriately, they should follow the process outlined in item 12 below

The stall or space must only be used for the purpose of the buying and selling of authorised goods. The Council will not authorise the sale of legal highs. From time to time the Council may introduce specific requirements in relation to particular goods and services which go beyond existing legal requirements. For example e-cigarettes must not be sold to anybody under the age of 18 – the stallholder must ask for proof of identification from anybody that appears to be under 18

No trader shall use any stall or space for pitching, except where stalls or spaces have been reserved by Halton Borough Council for this purpose.

All traders must comply with all statutory and other legal requirements, both civil and criminal, in particular those relating to consumer goods and services, traffic regulations, the supply of counterfeit goods, compliance with age restricted sales requirements and the employment of children.

All traders must ensure that they do not infect HBC social media sites with any virus or other malware (malicious software) from infected web or social media sites. Traders must not disclose confidential information via social media or post comments that may damage the reputation of Halton Borough Council or its Officers.

All accidents, disputes, thefts, disorderly conduct, goods lost or found and damage to stalls shall be reported to Halton Borough Council as soon as practicable, and in any event within forty eight hours.

All traders are responsible for the conduct of their employees and assistants in relation to these regulations. Failure by a trader to deal with notified contraventions of the regulations by their staff will result in disciplinary action being taken against the trader.

All traders shall take all reasonable steps to ensure the safety of members of the public, their employees, assistants and other traders.

All traders and all attending the market shall observe and comply with the instructions and requirements of Halton Borough Council in securing the proper management of the market.

12. Complaints Handling Procedure

Halton Borough Council has a corporate complaints procedure.

We aim to ensure Market Traders and customers are satisfied with the services and staff within our markets, but inevitably, there may be occasions when you are less than satisfied about something we do, or the service we provide. If this should be the case you have the right to make a complaint.

How do I make a complaint and who do I complain to?

a. Informal stage

First of all, contact the staff providing the service that you wish to complain about. In most instances, the people closest to the situation can deal quickly with the problem, hence you should contact the Market office with your complaint in the first instance.

If you are not satisfied with the response you receive from the Market office you should contact senior management with responsibility for the Market, the officer to be contacted is the Technical & Property Support Manager.

The intention of this process is to allow staff in the market office and with responsibility for the Market to give a satisfactory explanation of its action or a chance to put matters right.

b. Formal Stage

If a trader is unhappy with the response following the informal stage above and feel that the complaint has not been settled, then a formal complaint can be made via Halton Borough Council's Corporate Complaint procedure, using the link below where the corporate complaints procedure and form can be downloaded, with instructions on where to send the completed complaints form.

<https://www3.halton.gov.uk/Pages/councildemocracy/Contact-Us.aspx>

13. Contravention of Regulations

Details relating to the disciplinary process is contained in the Council's Code of Conduct (Markets) – and Contravention of Regulations Procedures.

Disciplinary action shall be taken against traders for contravention of the regulations. This may result in the trader being suspended from the market and, ultimately, the agreement to occupy a stall or space being terminated. Further details of this can be found in Section Two - Contravention of Regulations.

14. Cleaning and Refuse Disposal

All traders must keep the stall or space and its immediate surroundings in a clean and tidy condition. On indoor markets, the stall includes all associated fixtures and fittings including doors, windows, shutters, and partitioning and fascia boards. Food traders shall comply with any specific requirements relating to the storage and disposal of waste and the cleaning of premises particularly in relation to public health and hygiene regulations.

Waste must be placed in the correct trade bins and not in any other location, including the wall bins which are for use by members of the public only. Fly tipping will not be tolerated. Likewise only rubbish generated from a day's trading at Widnes Market can be placed in the market bins. No waste should be brought from home or elsewhere. Trade waste from fitting out stalls should also not be placed in the market bins and should be removed from the market by the tenant and disposed of elsewhere. Bulky items such as leftover stock and palettes along with items such as batteries and fluorescent light tubes cannot be disposed of in the market bins and should be taken off site for disposal by the trader.

Waste must be placed in the bins by the end of the day, when the attendants wheel the bins in to the indoor market to collect waste. Traders are forbidden to put out rubbish after this time.

Any traders who choose to close their stall during the market's opening hours must NOT leave rubbish on their stall, as it is difficult to deal with the removal of rubbish etc. when the market is still open to the public. Traders doing so may be refused allocation of a stall in the future.

15. Name Signs on Stalls

The name of the trader shall be displayed in legible characters on a board of adequate size in clear sight whilst the stall or space is occupied. In the case of indoor market stalls the trading name must be displayed on the fascia board in a clear and unobstructed manner, and all fascia signs must be approved by Halton Borough Council.

16. Fixtures and Fittings

The driving of nails or screws into stall boards or other fittings, and the use or attachment of anything likely to cause damage to stall boards or other fittings is strictly prohibited.

The cost of repairing or making good any damage caused by the trader, to stalls or fittings or other market property, shall be charged to the trader unless the trader can provide sufficient evidence that the damage was not caused by the trader, or their employees or assistants.

No alterations are to be made to any part of the stall without the prior written approval of Halton Borough Council.

17. Electricity and Heating

No person, unless authorised by Halton Borough Council shall interfere with or alter the electric wiring or standard lighting to stalls.

No heating apparatus shall be used unless prior approval has been obtained in writing from Halton Borough Council.

Maximum power levels, as determined by Halton Borough Council must not be exceeded.

All traders are responsible for ensuring that any electrical goods or equipment they provide for use on the stall or space is compliant with all relevant legislation including PAT testing on an annual basis.

18. Traders Vehicles

Vehicles must be removed from the markets not later than 40 minutes after the prescribed opening time of the market and are not permitted onto the market until the prescribed closing time, unless authorised by Halton Borough Council.

Vehicles must be loaded / unloaded immediately and the serving of customers shall not be allowed during this period.

Traders' vehicles must be removed from the market immediately after loading / unloading and must not be parked on surrounding roadways, service roads or loading bays.

All traders shall comply with the speed limits specified on the market.

Traders are able to use the Traders car park, this is on a first come first served basis, and are to park in designated parking bays only.

Access for emergency services must be maintained at all times on the market.

19. Public Liability Indemnity

All traders shall indemnify the Halton Borough Council from all claims, damage, loss, expenses and costs however so caused including, without limitation, those resulting from any explosion, fire, accident or injury to any person or property which may arise as a result of or in connection with the occupation or use of any stalls or spaces by the trader.

All traders shall maintain an insurance policy with a reputable insurer, to a minimum of £5 million cover against third party and public liability. The trader shall provide evidence of the insurance cover to an authorised officer on an annual basis, failure to provide the information will effect your tenancy or license.

20. Storage Containers

The trader shall be responsible for all goods stored in the storage containers and shall ensure that they are appropriately insured.

Access to and from the storage containers must not be obstructed during the loading and unloading periods specified above.

The size of all storage containers will be determined by the designated Council Officer depending on space availability within the traders' car park.

21. Termination

Any Tenancy at Will may be determined at any time, if the Tenant is complying with the terms of the Tenancy however 28 days notice in writing will be given to the Trader stating to Councils' intentions.

Any License may be determined at any time, if the tenant is complying with the terms of the license however 7 days notice in writing will be given to the Trader stating the Council's intentions.

Any trader who accumulates Tenancy arrears of more than two months may have their agreement terminated and the stall or space will be re-allocated, with any outstanding arrears referred to appropriate agencies for recovery.

Any trader who accumulates License arrears of more than two weeks may have their agreement terminated and the stall or space will be re-allocated, with any outstanding arrears referred to appropriate agencies for recovery.

Failure to attend and trade at the stall or space throughout a period of two consecutive weeks for license holder and 1 month for Tenancy at Will holders from the date of the last attendance, without good reason being shown, shall result in the withdrawal of the licensed stall or space immediately and without further notice.

Nothing contained in these regulations is to be taken to relieve or excuse the trader, or their assistants and employees from any existing legal duty. Nothing herein shall be deemed to create the relationship of Landlord and Tenant between Halton Borough Council and the registered trader.

Costs incurred by Halton Borough Council in remedying breaches of any of these regulations may be recharged to the trader responsible for the breach.

GLOSSARY OF TERMS

- a) "Casual trader" means a person trading from a market stall or space on by way of daily allocation.
- b) "Regular trader" means a person trading from a stall or space on the Markets by way of a Tenancy at Will or weekly licence.
- c) "Last market day of each week" means the last market trading day in the week running from Sunday - Saturday.
- d) "Licence fee" means stall or space fee, storage charge (where applicable), vehicle parking fee (where applicable), service charge (where applicable) and appropriate taxes.
- e) "Halton Borough Council" includes any person authorised by the Operational Director for Economy, Enterprise and Property to act as a representative of the Council.
- f) Where reference is made to notifying Halton Borough Council in writing, this will mean to the Technical & Property Support Manager: Halton Borough Council, Property Services, Municipal Building, 5th floor, Kingsway, Widnes WA8 7QF

Halton Borough Council **Markets Protocol**

Section 2 Contravention of Regulations Procedures

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1. Warning Notices
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Introduction

It is in the interests of the Council and stallholders that the Markets operate effectively and provide a safe, comfortable, and appealing environment in which the public can enjoy a positive shopping experience.

In pursuit of this goal the purpose of developing and implementing these procedures is to ensure that the Council has a fair and transparent process in place through which contraventions of Market Regulations can be dealt with appropriately.

These procedures support the Council's strategic aim of providing and promoting equality in all of its functions through the provision of a documented and accessible framework that ensures that individuals are treated fairly and without discrimination.

Nothing in this Markets Protocol Section 2 Contravention of Regulations confers or purports to confer on any third party any benefit or any right to enforce any term of this Contravention of Regulations document.

Halton Borough Council – Markets Protocol	
Section 1	Market Regulations
Section 2	Contravention of Regulations Procedures
<i>S2. Appendix 1</i>	Market trader – Warning Notice
<i>S2. Appendix 2</i>	Market Trader – Notice of Suspension
<i>S2. Appendix 3</i>	Market Trader – Notice of Termination
<i>S2. Appendix 4</i>	Market Trader – Appeal against Termination
<i>S2. Appendix 5</i>	Casual Trader – Notice of Cancellation
<i>S2. Appendix 6</i>	Casual Trader – Appeal against Cancellation

Contravention of Regulations Procedures

Market Traders

1.0 Warning Notices

1.1 Traders who contravene any of the Market Regulations may be issued with a Written Warning Notice by Halton Borough Council as illustrated within appendix 1.

1.2 The Warning Notice shall state:

- Details of the contravention
- The date of the contravention
- The name of the Officer issuing the Notice

1.3 Although not exhaustive examples of the types of contraventions for which Warning Notices may be issued would include:-

- Failing to comply with a reasonable request from the Council's designated Officer.
- Inappropriate conduct as indicated in Market Protocols, Section 1, item 11 .
- The late opening/early closing of the stall.
- The failure to honour a consumer's statutory rights.
- The sale of counterfeit goods or the sale of age restricted products to people under the age of 18.
- The displaying or selling unauthorised lines of goods
- The display or selling of goods outside of the permitted area.
- Failure to provide updated Public Liability Insurance certificate on request from Market office.
- Articles being placed on or suspended from the stall roof and / or lighting equipment without permission

- Failure to display the name sign according to the regulations
 - Vehicles parked for longer than necessary for loading/unloading
 - Vehicles on the market in contravention of regulations
 - Failure to clear away refuse during trading times and/or at the close of business
- 1.4** A breach of any of the above may constitute a serious contravention of market procedures and may be dealt with in accordance with the procedures as laid out in this protocol.
- 1.5** Traders are responsible for ensuring that their employees and assistants comply fully with the regulations. Failure by a trader to deal with notified breaches of the regulations by his / her staff will result in action being taken against that trader.
- 1.6** A trader who receives 3 Warning Notices, on any one market site, within a 12 month period shall be issued with a Notice of Suspension (Appendix 2) preventing him/her from occupying the stall or place on that market, or from working in that market for a period of one week. The trader's business will not be allowed to trade within their stall/s or within the Widnes Market building for the duration of the suspension period.
- 1.7** If no further Warning Notices are issued in the 12 months immediately following the date of issue of the first suspension, the trader will no longer be under threat of extended suspension or termination of Tenancy at Will or Licence.
- 1.8** In the event of the trader receiving a further Warning Notice within 12 months from the date of the first Notice of Suspension, the trader shall be issued with a second Notice of Suspension preventing him/her from occupying the stall or space, or working in the market for a period of two weeks. The trader's business will not be allowed to trade within their stall/s or within the Widnes Market building for the duration of the suspension period.
- 1.9** If no further Warning Notices are issued in the 12 months immediately following the date of issue of the second suspension, the trader will no longer be under threat of termination of Tenancy at Will or Licence or; otherwise:
- 1.10** In the event of the trader receiving a further Warning Notice within 12 months from the date of the second Notice of Suspension the trader's Tenancy at Will or Licence to attend the stall or space shall be terminated by a Termination Notice.

- 1.11** All Notices of Suspension shall be issued by the Council's Market Officer and state the details of the offence, the date the suspension is to start and end, how the suspension will apply to the trader, and the timescale for appeal against the Notice.
- 1.12** A Termination Notice shall be issued by the Council's designated Officer, be dated and state the reason for its issue, the date it is to take effect, how the termination will apply, and the time-scale for appeal against the Notice. The trader shall not be allowed to re-register for market retail accommodation for a period of 3 years following the date of issue of the notice of termination.
- 1.13** A trader who receives a Notice of Suspension or a second Notice of Suspension may appeal, in writing, to the Operational Director, Economy, Enterprise and Property within 7 working days of the receipt of the Notice. On the issue of such a written appeal, the trader may continue to trade until the determination of the appeal by the Operational Director, Economy, Enterprise and Property (or his Deputy) which shall take place as soon as is reasonably practicable. The trader shall have the right to be heard in person and represented. Having considered all material factors the Operational Director, Economy, Enterprise and Property (or his Deputy) will confirm the outcome of the appeal in writing.

2.0 Casual Traders

- 2.1** A casual trader who receives 3 Warning Notices, on any one market site, within a period of 12 months shall have their registration with Halton Borough Council cancelled. The trader shall receive a Notice of Cancellation, in writing, which shall state the reason for the cancellation, the effect of that cancellation, and the time-scale for appeal. The trader shall not be allowed to re-register for a period of 3 years following the date of issue of the Notice of Cancellation.
- 2.2** A casual trader who receives a Notice of Cancellation may appeal, in writing, to the Operational Director, Economy, Enterprise and Property within 7 working days of the receipt of the Notice. On the issue of such an appeal, the trader may continue to trade until the determination of the appeal by the Operational Director, Economy, Enterprise and Property (or his Deputy), which shall take place as soon as is reasonably practicable. The trader shall have the right to be heard in person and represented. Having considered all material factors the Operational Director, Economy, Enterprise and Property (or his Deputy) will confirm the outcome of the appeal in writing.

3.0 Serious Contraventions

3.1 In the event of serious contraventions of market procedures by a trader, the Operational Director, Economy, Enterprise and Property (or his Deputy) may suspend that person from trading or working on the Council markets pending a hearing by Notice, which shall state the date the suspension is to start and the effect of the suspension.

3.2 The Operational Director, Economy, Enterprise and Property shall convene the hearing at the earliest opportunity, but in any event not later than 7 days from the issue of the Notice of Suspension. The trader shall have the right to be heard in person and represented.

3.3 Although not exhaustive the following are examples of behaviour that would constitute a serious contravention:-

- Acts of dishonesty, indecency or violence;
- Use of abusive, insulting or discriminatory language or behaviour;
- Any act causing or likely to cause death or personal injury;
- An offence in connection with the business carried out at the stall or space for which legal proceedings have been instigated;
- Offering bribes or inducements to Council staff.

3.4 Following the hearing, the Operational Director, Economy, Enterprise and Property (or his Deputy) shall give his decision in writing which may either:

- Reject the claim of serious contravention, in which case the trader will be allowed to continue to trade;
- Suspend the trader, preventing them from trading or working on the market for a period not exceeding 3 months from the date of the decision;
- Terminate the trader's Tenancy at Will or Licence.

4.0 Right of Appeal to the Council

- 4.1** A trader may appeal against a Termination Notice served under this procedure to Halton Borough Council's Corporate Complaints procedure, using the link below where the corporate complaints procedure and form can be downloaded, with instructions on where to send the completed complaints form.

<https://www3.halton.gov.uk/Pages/councildemocracy/Contact-Us.aspx>



Market Trader – Warning Notice

Date:	
Trader Name:	
Private Address:	
Trading as:	
Trading address:	

Date of Warning Notice:	
Reference Number:	
Date of expiry:	
Previous Warnings Issued within preceding 12 months	Yes <input type="checkbox"/> No <input type="checkbox"/>
Date(s):	

Details of the contravention of regulations including date of occurrence:

--

Issued by:	XXXX
Contact Details	XXXX Municipal Building, Kingsway, Widnes, Cheshire, WA8 7QF e.mail: Telephone:
Signed:	
Dated:	



Market Trader – Notice of Suspension

Date:	
Trader Name:	
Private Address:	
Trading as:	
Trading address:	

Reference Number:	
Status:	First Notice <input type="checkbox"/> Second Notice <input type="checkbox"/>
Start Date:	
End Date:	
Appeal expiry date:	
Date(s) of preceding warning notices issued within last 12 months:	

Nature of contravention including date(s) of occurrence:	

Issued by:	XXXX
Contact Details	XXXX Municipal Building, Kingsway, Widnes, Cheshire, WA8 7QF e.mail: Telephone:
Signed:	
Dated:	

All traders receiving a Notice of Suspension have the right of appeal against this decision. Further information and associated documents can be found via the following link.



Market Trader – Notice of Termination

Date:	
Trader Name:	
Private Address:	
Trading as:	
Trading address:	

Reference Number:	
Start Date:	
End Date:	
Appeal expiry date:	
Date(s) of preceding warning notices issues within last 12 months:	

Reason(s) for issue:

Issued by:	XXXX
Contact Details	XXXX Municipal Building, Kingsway, Widnes, Cheshire, WA8 7QF e.mail: Telephone:
Signed:	
Dated:	

All traders receiving a Notice of Termination have the right of appeal against this decision. Further information and associated documents can be found via the following link.



Market Trader – Appeal against Termination

Date:	
Trader Name:	
Private Address:	
Trading as:	
Trading address:	

Date of Termination Notice:	
Reference Number:	

Please provide below a summary of your reasons for appeal:

--

Do you wish to be represented at appeal?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Name of Representative:		

Signed:	
Dated:	

Please return this completed application in hard copy or via e-mail to:

Operational Director
Economy, Enterprise and Property Directorate
(Market Trader Appeals)
Municipal Building
Kingsway
Widnes
Cheshire WA8 7QF
wesley.rourke@halton.gov.uk

Telephone enquiry 0303 333 4300 extension



Casual Trader – Notice of Cancellation

Date:	
Trader Name:	
Private Address:	
Trading as:	
Trading address:	

Date of Cancellation Notice:	
Reference Number:	
Appeal Date Expiry	
Previous Warnings Issued within preceding 12 months	Date(s):

Details of the contravention of regulations:

Issued by:	XXXX
Contact Details	XXXX Municipal Building, Kingsway, Widnes, Cheshire, WA8 7QF e.mail: Telephone:
Signed:	
Dated:	

Casual Trader - Appeal against Cancellation Notice

Date:	
Applicant Name:	
Applicant Address:	
Trading as:	
Trading address:	
Contact: e.mail:	
Telephone:	

Date of Cancellation Notice:	
Reference Number:	

Please provide below a summary of your reasons for appeal:

--

Do you wish to be represented at appeal?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Name of Representative:		

Signed:	
Dated:	

Please return this completed application in hard copy or via e-mail to:

**Operational Director
Economy, Enterprise and Property Directorate
(Casual Trader Appeals)
Municipal Building
Kingsway
Widnes
Cheshire WA8 7QF
wesley.rourke@halton.gov.uk**

Telephone enquiry 0303 333 4300 extension

