

KNUTSFORD TOWN COUNCIL

MARKET HALL REGULATIONS

Draft 2025

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OWNER Town Centre Committee
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INTRODUCTION

1.1 Knutsford Market Hall ("the market") is operated by Knutsford Town Council and managed by the council's Markets Officer.

1.2 These regulations govern the management of the market and the issuing of licences to trade.

DEFINITIONS

1.3 Throughout this document the following definitions apply:

"Markets Officer" is the Town Centre Manager or any duly authorised representative. The Town Clerk may also exercise the powers of the Market Officer as required.

"the Market" is Knutsford Market Hall, situate at Silk Mill Street, Knutsford, WA16 6DF

"Regular Trader" is a stallholder granted a regular trader's licence and in occupation of a fixed stall.

"Casual Trader" is a stallholder granted a casual trader's licence. They may be in occupation of a fixed or temporary stall.

"Traders" may be either a regular or casual traders or both, such as the context indicates

"the committee" is the Town Centre Committee of Knutsford Town Council, or any committee which has authority for the management of the council's markets function.

"the regulations" means the Knutsford Market Hall Regulations which are in force at any given time

GENERAL

2.1 The official market days are the following:

Tuesday	9am to 4pm
Thursday	9am to 4pm
Friday	9am to 4pm
Saturday	9am to 4pm

except where these days fall on Christmas Day, Boxing Day or New Years Day. These hours may be varied for hospitality traders and shall be stipulated in licences.

2.2 The Sunday of the Christmas Market and Makers Market is also an official trading day.

2.3 Market days and times may be varied by the Council and traders will be given two month's written notice of any change.

2.4 The Markets Officer shall maintain a system for prospective traders applying to trade. In making decisions on applications to trade the Markets Officer shall be guided by the following priorities (not set out in any particular order). Priority should be given to traders which

- complement or fill gaps within the Knutsford High Street offer
- enhance the wellbeing of the community
- will draw footfall to the market
- have a strong connection to Knutsford

2.5 Regular traders should ensure stall are open for the duration of the official market days unless permission has been given by the Markets Officer. Traders may trade from 8am. If a trader is unable to open their stall, they should arrange suitable cover. If suitable cover cannot be obtained, each trader shall be entitled to close their stall for a maximum of four days per calendar year subject to consent from the Markets Officer having providing a minimum of a month's notice and the condition that only one stall shall be permitted to be closed at any one time.

2.6 The council shall ensure that access to the Market is provided for traders one hour prior and after the official market times. The council shall also provide a half day when the market is available to regular traders and not normally open to the public for the purposes of conducting their business.

2.7 Traders may not trade outside the official market days without approval in writing from the Markets Officer.

LICENCES

ISSUING OF LICENCES

3.1 All traders will be issued with a licence to trade and must sign to confirm they agreement to the terms of the licence. The Markets Officer is responsible for ensuring licences are completed.

3.2 The form of the licence shall be determined by the Town Clerk and must incorporate the requirements of these regulations.

3.3 Licences shall be renewable and licence holders will be required to reaffirm agreement to the licence conditions.

3.4 Licences will grant permission to trade from a designated stall within the market.

3.5 Licences will not provide exclusive possession nor security of tenure.

3.6 Regular trader licences shall run to the next 31st March or, where a first licence is issued after 1st January, to the following 31st March. Subject to the trader having not received a formal warning under 3.30 the Markets Officer must offer existing traders a renewed licence. Renewals are to be completed by 31st January annually.

3.7 Casual trader licences may be issued for such periods as the Markets Officer determines appropriate and shall specify the dates the trader is entitled to trade.

LICENCE FEES

3.8 As part of the annual budget process, the committee shall determine the licence fees for the ensuing financial year.

3.9 Regular trader licence fees are payable on the 1st of each month in advance. If, without the Market Officer's consent, full payment for regular trader licence fees has not been made by the 7th of the month, a reminder letter will be issued and an administration charge of £10 applied to the account.

3.10 Casual trader licence fees must be paid in advance of trading. All fees must be paid by BACs or Standing Order.

3.11 The Markets Officer may waive fees on any occasion deemed appropriate.

MANDATORY LICENCE CONDITIONS

Licences to trade shall include, *inter alia*, the following provisions

3.12 Licences will not provide exclusive possession nor security of tenure.

3.13 Licences will be in the personal name of the trader and not transferrable.

3.14 Licence holders, and any persons left in sole charge of the stall, must be over the age of 18

3.15 Regular licence holders are required to attend the market personally and trade one full day not less than once per calendar month

3.16 Regular licences shall stipulate that the licence holder is liable and responsible for all business rates applicable for their stall

3.17 Licence holders must hold valid Public Liability Insurance for claims up to £5,000,000.

3.18 Licence holders will be required to adhere to the prevailing Code of Conduct for Market Traders

3.19 All regular traders must be open during the official market times

3.20 Licence holders shall only trade the range of goods specified in their licence and must apply, in advance, to the Markets Officer to add additional ranges/goods to their licence

3.21 No trader shall be given the exclusive right to sell any item, type of items or range in the market except where, in the opinion of the Markets Officer, it would impact the vitality of the market

3.22 It shall be the responsibility of the trader to be aware of all legislation governing their trade and traders must comply with all current legislation pertaining to the sale of their goods. Food businesses must be registered with Cheshire East Council. Traders selling food must ensure compliance with the Food Safety Act 1990, the Food Safety (General Food Hygiene) Regulations 1995 and the Food Safety (Temperature Control) Regulations 1995

3.23 Traders shall follow all relevant health and safety and fire safety guidelines and safe working practices.

3.24 Traders shall follow all reasonable instructions in respect of premises licence requirements.

3.25 Food traders shall maintain a minimum of a 4-star food hygiene rating.

3.26 Traders keep their stalls and fittings clean and free from litter. Refuse shall be disposed of using the bins in the market bin compound. Traders shall ensure that waste is sorted and placed in the correct bin

3.27 Traders shall be required to remove any part of a display which, in the opinion of the Markets Officer is likely to cause offence to the public or in breach of statutory requirements.

3.28 Traders are prohibited from offering any special discount to the members, employees, officers or agents of the council which are not available to the general public.

FAILURE TO ADHERE TO LICENCE CONDITIONS

3.29 The Markets Officer shall enforce adherence to these regulations and the conditions governing licences to trade.

3.30 Except in instances of gross misconduct, where a regular trader has failed to adhere to licence conditions the Markets Officer shall inform the trader of the breach and may, as appropriate:

a. provide a reasonable timescale for the breach to be remedied
b. issue a formal warning
c. provide a reasonable timescale for the breach to be remedied and issue a formal warning

TERMINATION OF LICENCES

3.31 Regular traders may surrender their licence giving two months' written notice

3.32 Casual traders may surrender their licence with two days' written notice

3.33 The Markets Officer may revoke regular trader licences in the following circumstances:

a. The trader has committed an act of gross misconduct
b. The trader has failed to remedy a breach of licence conditions within the required timescale
c. The trader has received two formal warnings for unrelated breaches with the past 12 months
d. The trader has received a formal warning for the same or a connected breach within the past 12 months

3.34 The Markets Officer may, acting reasonably, revoke a casual trader licence for any reason.

3.35 A trader who does not hold the required public liability insurance, any other licence or certification required to trade or who fails to abide by relevant legislation shall automatically forfeit their licence.

3.36 A regular trader who has had a rent arrears of two months or more shall automatically forfeit their licence unless either a payment plan is in place and is being adhered to or they have prior agreement in writing from the Markets Officer for late payment.

3.37 A regular trader whose licence is revoked in accordance with 3.30 may submit an appeal. An appeal must be provided in writing within 7 days and shall be heard by the committee. It shall be at the discretion of the Town Clerk whether the trader may continue to trade whilst the appeal is in process.

ASSOCIATED CODES

4.1 The Markets Officer shall maintain a Traders Code of Conduct which shall incorporate the relevant sections of the council's Dignity at Work policy and the definition and example of Gross Misconduct set out in section five.

4.2 The Markets Officer may prepare appropriate codes and guidelines which traders will be required to follow. These may include:

- Marketing Guidelines
- Visual Merchandising Guidelines
- Environmental Standards
- IT Use Code

GROSS MISCONDUCT

5.1 Gross misconduct is behaviour which is fundamentally at odds with the traders' duty to the council and their fellow traders.

5.2 Whilst it is not possible to list every example of gross misconduct, the following acts provide an illustration of conduct which would fall into this category:

a. Bullying behaviour to members of the public, staff, other traders, councillors and officers
b. Assault
c. Gambling within the Market Hall
d. Intentional harm to the property or stock of other traders or the council
e. Interfering with other traders' stalls/displays or council areas
f. Security breaches, including interference with CCTV systems, accessing the building outside approved hours, permitting unauthorised persons to access the building and failure to report lost keys / codes.
g. Accessing obscene, inappropriate or pornographic materials within the market
h. Committing any illegal or unlawful acts within the market
i. Selling any counterfeit or unlicenced goods
j. Being under the influence of drugs, alcohol or other substances whilst trading and/or in charge of a stall
k. Reckless behaviour posing a risk to health and safety
l. Acts which prejudice the premises licence for the building

5.3 For the avoidance of doubt, behaviour outside the list above may be considered gross misconduct at the discretion of the Markets Officer.

COMPLAINTS

6.1 Except where these regulations provide the right of appeal, complaints about decisions of the council may be raised in accordance with the council's complaints policy

6.2 Complaints about traders shall be raised with the Markets Officer who shall ensure an investigation is undertaken. A record of investigations shall be maintained.