



Gainsborough Market

Traders Welcome Pack





Welcome to Gainsborough Market

Gainsborough hosts a bustling open-air general market every Tuesday and Saturday right in the centre of town. The market provides a variety of products ranging from pet supplies, sweets, clothing and flowers, to local fruit and veg, homemade cakes, fresh fish and quality meats, there really is something for everyone.



Gainsborough Market

Rules and Regulations

All traders admitted to the market shall at all times conduct themselves in accordance with the requirements of the bylaws and regulations applicable to the market and without prejudice, West Lindsey District Council (WLDC) reserve the right to allow the Market and Town Centre Officer (MTCO) to amend or alter or vary these rules if it is in the general interest of the market to do so.

The Rules and Regulations are split into 15 parts:

- 1. Times of the market**
- 2. Charges**
- 3. Application for and allocation of stalls**
- 4. Absence from the market**
- 5. Other charges**
- 6. Vehicle access**
- 7. Stall occupation**
- 8. Refuse**
- 9. Transfer of stall**
- 10. Stall layout**
- 11. Access**
- 12. Insurance**
- 13. Conduct**
- 14. Disciplinary action**
- 15. Notice period**

1. Times of the market

Tuesday 9am to 3pm

Saturday 9am to 3pm

And such other times as the council in their discretion resolve. Traders agree to stand during the core hours of Gainsborough Market as set out above. Any trader leaving before the set time without permission from the MTCO will be dealt with in accordance with regulation 14 (see part 14 in this booklet). Any trader wanting to stay on the market longer than the times stated they may do so provided they have the prior approval of the MTCO but must be off the market before 5pm.

2. Charges

- a) Traders will be notified of all current charges for stalls, pitches, and any surcharges as shown on the WLDC website. These may be amended by the council at their sole discretion at any time. Traders may opt to pay by either weekly collection or monthly in advance by invoice. Traders agree to the terms associated with their chosen method of payment.
- b) The MTCO or other nominated council officer collect weekly rents commencing from 11am. It is the responsibility of the trader to ensure that rent is paid on time. Market staff will not return to collect rents.
- c) Traders who fail to pay their rent at the time of collection on the first occasion will receive a verbal warning and will be required to pay two weeks rent the following week. On a second occasion a written warning will be issued, and on a third occasion the trader may be dismissed from the market. Traders paying monthly who miss payments will be required to abide by the invoice conditions, failure to do so will lead to disciplinary action.
- d) Registered traders must pay any arrears in full within four weeks of their return to the market. If traders fail to do this they will be dealt with under regulation 14.
- f) Casual traders may trade for an introductory period of six weeks. After this time, traders who have formally requested, via the MTCO, to stand on the market may be signed up as registered traders, provided they are not or have not been in breach of any of these regulations. Traders who do not wish to sign up after this time will be required to leave the market forthwith. Casual traders must advise the MTCO of their attendance prior to the market day and they will then be allocated a stall. The same stall/pitch will not be guaranteed for casual traders as they are for registered traders.

2. Charges (continued)

- g) During winter months and/or in adverse weather conditions (e.g. snow and/or very strong winds), if less than 25% of registered traders attend the market, the market will be automatically cancelled. In this situation, traders who wish to stand will not be charged any rent and any traders who do not wish to stand will also incur no charges. For traders paying monthly a credit adjustment will be made on the invoice for the following month. If the market is cancelled prior to the market day traders are able to set up at their own risk using their own equipment as no market stalls/covers will be available.

3. Application for and allocation of stalls

All applications must be made to the MTCO on the prescribed form who will allocate, subject to their discretion, on a first come first served basis and in the following order of priority:

- a) To any existing trader who has made an application for an additional stall.
- b) To any existing trader whom applies to transfer from another stall, which he/she will then relinquish.
- c) Subject to trade and business considerations, casual or intermittent traders in the order in which they appear on the official waiting list which shall be maintained by the MTCO.
- d) No material change in class of goods shall be made without the prior consent of the MTCO; any trader wishing to change the line of goods may be required to forfeit their stall allocation and may be repositioned at the discretion of the MTCO.
- e) Traders are not permitted to sub-let any stall or any part thereof.
- f) Traders agree to comply with any statutory law or bylaw relating to retail markets and sales there from and agree not to offer for sale illegal, prohibited or counterfeit goods. Any trader selling items requiring a licence or certificate is responsible for obtaining such a licence or certificate at their own expense and is obliged to provide evidence of such immediately upon request of the MTCO or council representative.
- g) Stallholders will supply their full name, address, contact details and relevant trading details to the MTCO and agree to inform the MTCO of any changes to this information as soon as practicable. The trader agrees to the council holding this information.

4. Absence from the market

- a) Registered traders paying rent monthly in advance are entitled to four weeks annual leave for which they will not be charged. This will apply whether this leave is taken or traded through. Registered traders paying rent weekly are entitled to take three weeks annual leave without charge or alternatively, six weeks at half rent. This will apply whether this leave is taken or traded through. The MTCO must be notified of annual leave where possible.
- b) Traders must notify the MTCO of the preferred method of payment each fiscal year for the purposes of calculating annual leave entitlement.
- c) If a trader cannot attend on medical grounds rent will still be due and payable, however in exceptional circumstances, traders may apply in writing to the MTCO for rent arrears to be written off. Exceptional circumstances are deemed to be non elective hospitalisation and where alternative arrangements for attendance at Gainsborough Market could not be reasonably expected. In the case of long term absence through illness i.e. lasting eight weeks or more, the MTCO may permanently reallocate stalls without prior notice either verbally or written to the trader.
- d) The MTCO can be contacted on 07810658397, Monday - Saturday. An explanation must be given for any non-attendance.
- e) Any non-attendance taken after a trader has used up their annual leave entitlement will incur charges of half their weekly rent in which they will then be put into arrears. Arrears must be paid for in full within four weeks of their return to the market. If traders fail to do this the trader will be dealt with under regulation 14.
- f) If a stall is not occupied by 8.30am, or the MTCO has not been advised of any late arrival or non-attendance, that stall will be re-allocated by the MTCO.



5. Other charges

- a) The council will provide registered stall holders with covers for stall free of charge. These items will be retained by traders for use at each market.
- b) Casual traders must provide their own stall covering in the appropriate colours. The MTCO will provide you with this information.
- c) Ownership of covers provided free of charge will remain with WLDC. Any trader de-registering from or giving notice to Gainsborough Market must ensure that covers are returned clean and in good condition at their own expense to WLDC. Traders will be charged for any damaged or missing covers at the rates applicable, which can be obtained from the MTCO, on the date of their last trading day (reasonable wear and tear excepted).
- d) Traders agree to take all good and proper care of covers and to ensure security of covers when not in use. Replacement covers will be provided to traders at the discretion of the MTCO.
- e) Traders are not permitted to use the covers provided by WLDC at other markets, sales or events.
- f) Use of covers for personal events or use is not permitted.
- g) The use of other stall coverings and colours is not permitted.
- h) Traders accept any risk associated with using WLDC covers and will ensure that their public liability arrangements incorporate and insure against claims arising from the use of these covers.
- i) The council reserve the right to charge for the loss of, or damage to any stall fitting (including lights and council provided covers) and to recover all and any costs arising as a result of non-compliance by the trader with this code.



6. Vehicle access

No vehicle may be brought onto the market between the hours of 9am and 3pm.

Vehicle access is permitted only as follows:

Unloading: 6.30am to 9am

Loading: 3pm to 5pm

- a) The bringing of vehicles onto the market outside of these times is an infringement of the existing Traffic Regulation Order and may result in action being taken by the police and will also be dealt with under regulation 14.
- b) In adverse weather conditions, at the discretion of the MTCO, permission may be granted for vehicles to be brought onto the market earlier than normal.
- c) Registered traders will be entitled to park, while they are trading free of charge (by way of an issued permit) in North Street car park. Parking permits remain the property of the council and must be returned to the MTCO immediately on demand. They are not valid for use at any other time and must not be so used. Casual traders may use any of the WLDC car parks but must pay for their car parking.

7. Stall occupation

- a) Traders will not overhang or project their goods beyond the limits of their stall without the express permission of the MTCO.
- b) Traders will maintain their stall in a clean and tidy condition at all times.
- c) Full utilisation of stall space must be maintained at all times.
- d) Traders must not use any street furniture, planters, or surrounding buildings to support displays, stack goods, or store equipment.
- e) Traders may have front displays but must leave a 3m carriageway for access of emergency vehicles. Any trader building out too far will be asked by the MTCO to either move or remove their display until the MTCO is satisfied with the space. Any trader who doesn't comply with this will be dealt with in accordance with regulation 14.
- f) Traders may have side displays next to their stalls but only to the discretion of the MTCO. Any trader building out too far will be charged for that space as it would be classed as a pitch.
- g) Traders must not unreasonably obstruct the views of any other trader's stalls with their side or front displays.

8. Refuse

The proper bagging or boxing of all refuse arising from the traders business on the market is the responsibility of the trader. Refuse must be adequately contained at all times.

9. Transfer of Stall

No trader has the right to transfer his/her stall or permit it to be used by any other person.

10. Stall Layout

- a) Traders are responsible for ensuring that all equipment and lighting provided by the council **must** not be removed or tampered with in any way.
- b) Traders **must** not move, tamper or remove any part of the stalls. The stalls must remain positioned where they were set out.
- c) On the grounds of health and safety, stall lighting is supplied on a 240 volt supply and this is the only supply that is permitted to be used for stall lighting. For the protection of the individual bulb holders & the supply cable from overload, bulb sizes cannot exceed 60 watts.
- d) WLDC and the MTCO reserve the right to alter the layout of the market from time to time in order to accommodate any works or other activities. Wherever possible, such changes will be notified to the traders affected by such changes in advance of market days.
- e) WLDC and the MTCO reserve the right to permanently alter the layout of the market.
- f) Disciplinary action will be implemented for any abuse or misuse of the facilities provided.



11. Access

- a) Access ways for safe and unobstructed pedestrian circulation and emergency vehicles must be maintained by all traders throughout the market at all times (3m carriageway).
- b) Traders must ensure that they do not at any time cause any obstruction to pedestrian and emergency vehicle routes.

12. Insurance

- a) All traders are required and obliged to carry their own current public liability insurance cover to a value of not less than £5 million, and indemnify the council against all actions, claims and demands from any person for loss, damage or injury arising out of, or as a result of trading on Gainsborough Market. The council will not accept any responsibility whatsoever for any claims or liabilities originating from or attaching to any traders operation in the market.
- b) All traders must immediately produce evidence of such Insurance to the MTCO on request.
- c) Any trader who fails to produce valid insurance within two weeks of any request by the MTCO will be dealt with under regulation 14.

13. Conduct

- a) Traders admitted to the market shall, at all times conduct themselves in a reasonable and sober manner, when dealing with, members of the public, other traders, and officials of the council.
- b) Any trader found causing offence, nuisance or injury to any member of the public, another trader or official of the council, or being under the influence of drink or drugs, shall be dealt with in accordance with regulation 14, and in serious cases will be subject to instant dismissal from the market.
- c) Traders agree to take reasonable steps to ensure the health and safety of themselves, their employees and members of the public at all times whilst in attendance at Gainsborough Market.
- d) Traders shall comply with all reasonable and lawful requests made by the MTCO or officer of the council.

14. Disciplinary action

- a) The MTCO will continually monitor all traders observance of all aspects of this code of conduct. Any Infringement of rules 2, 4, and 6 – 13 inclusive, will be deemed as misconduct and will result in the following action being taken:
 - i) On the first occasion the trader will be given a verbal warning.
 - ii) On the second occasion the trader will be given a written warning.
 - iii) On the third occasion the trader will be dismissed from the Market.
- b) All warnings, verbal and written will be recorded by the MTCO and the traders future conduct will be monitored. All warnings will be retained the trader's file. Warnings will lapse following a 12 month period from the date the warning was issued.
- c) Any serious breach of regulations 9 and 13 will be deemed as Gross Misconduct and will result in instant dismissal from the market.
- d) Any trader dismissed from the market for misconduct as in paragraph i to iii above, will have this decision confirmed in writing by the service manager within seven days.

This section does not apply to contravention of regulation 4 absence from the market (a-d and f).

15. Notice period

- a) Registered traders wishing to cease trading on Gainsborough Market must notify the MTCO, in writing, of their intention to cease trading at least 14 days in advance of their last trading date. Rent for this 14 day notice period remains due and payable and the council will seek to recover any unpaid rent plus any reasonable costs incurred to recover arrears up to and including the notice period. In the case of a cancelled market or public holiday falling on a market day, traders notice will be postponed and the trader must stand their two weeks notice or alternatively they will be required make payment in lieu of notice.
- b) With regard to holiday entitlement, traders leaving will be required to pay back any holidays taken beyond their entitlement.
- c) Traders must return their allocated stall covers to the MTCO by the end of their last trading day. Traders will be charged for any damaged or missing items at the rates applicable on the date of the traders last trading day (reasonable wear and tear excepted). Traders may also be liable for any costs incurred to recover items not returned.



Market Trader Application Form

Name	
Address	
Telephone	
Mobile	
Emergency contact	
Description of goods	
Number of stalls required	
Preferred market day (Please tick)	Tuesday <input type="checkbox"/> Saturday <input type="checkbox"/>

Are you a resident in the UK & eligible to work in the UK? ☐

All traders are required to carry their own current public liability insurance cover to a value of not less than £5 million. The council will not accept any responsibility whatsoever for any claims or liabilities originating from or attaching to any market traders. Please provide details of your insurance cover below.

Insurance company	
Policy number	
Expiry date	

Signed:

Please note by signing this form you are accepting contractual obligation to abide by all market rules and regulations stated within this document.

Please return this page to: market.officer@west-lindsey.gov.uk:
West Lindsey District Council, Guildhall, Marshall's Yard, Gainsborough DN21 2NA

Useful Links

West Lindsey Markets Website

www.west-lindsey.gov.uk/markets

National Market Traders Federation Website

www.nmtf.co.uk

Market Trade News Website

www.markettradenews.com

Love Your Local Market Website

www.loveyourlocalmarket.org.uk

NABMA website

www.nabma.com

Lincolnshire Chamber of Commerce Website

www.lincs-chamber.co.uk



www.facebook.com/gainsboroughmarket



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If you would like a copy of this leaflet in large print, audio, Braille or in another language: Please telephone 01427 676676

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West Lindsey District Council
Guildhall, Marshall's Yard
Gainsborough
DN21 2NA

Markets Officer: 07810658397
Email: market.officer@west-lindsey.gov.uk

www.west-lindsey.gov.uk

