

**Shambles Market**  
**Rules & Regulations**  
**Updated March, 2015**

These Regulations shall operate from 23 March 2015 and as from that date shall supersede all other Regulations previously in force. They may at any time be revoked, amended or supplemented in such a manner and to such an extent as the City of York Council's Markets Office may at its discretion decide after consultation with representatives of the Market Traders Association.

**Licences:**

1. No person shall at any time conduct or carry out any trade or business within the Market areas unless authorised so to do by a licence or lease granted by the City of York Council.
2. 'Regular' licences are granted either:
  - a. for specified days of the week for a period of four weeks (such licences may be granted at the commencement of the 4 week billing periods set out by the Markets Office).

This licence will automatically continue for further successive 4-week periods unless and until terminated by either party giving to the other a minimum of one week's notice in writing, such notice to coincide with the end of a licence period

or
  - b. for specified days of the week for a period of six months (such licences may be granted on either 1 April or 1 October)

This licence will automatically continue for further successive 6-month periods unless and until terminated by either party giving to the other a minimum of one month's notice in writing, such notice to coincide with the end of a licence period
3. Charges are payable four weekly in advance in accordance with the billing periods set out by the Markets office.
4. 'Casual' licences are granted for one day only. Charges are payable on the day.

Casual trading will be allowed only where there is no commodity clash with nearby regular traders on the market. 'Commodity clash' is defined as not in the same aisle of the market or within a distance of 2 stalls.

Casual traders wishing to trade in the market during the pre-Christmas period (i.e. from the first day of the traditional St Nicholas Fair weekend) must have accumulated at least 6 seniority points. (For information as to how seniority points are accumulated see paragraph 18 below)

5. The licence is personal to the licensee and is un-assignable. The licensee shall not sub-let any stall or part thereof, nor cause or permit the same to be used, occupied or managed by anyone other than the person licensed or otherwise authorised by the Markets Office.
6. On demand, any trader shall produce documentary evidence to the satisfaction of the Markets Office, that he or she is the current licence holder or is a bona-fide employee or relative of the licensee.

**Charges:**

7. The tariff of charges will be available from the Markets Office. A tariff of charges will be maintained that incentivises traders to take regular licences.
8. If a market is not held on any normal market day for any reason (e.g. a Bank Holiday) traders will not pay charges for that day.
9. In the event of extreme weather conditions or other circumstances which put at risk the safety of traders and users of the market, all or part of the market may be closed and an appropriate reduction in charge for traders affected will be considered in the form of a credit to be given at the next payment period.
10. Charges will be waived in the event of any sickness absence of two weeks or more up to a maximum of 6 months subject to an appropriate medical certificate from a medical practitioner being provided.
11. Holders of a 6 month licence can, over the period of a year, take up to 4 weeks' holiday absence from the market. 50% fees will be payable during this period. No loss of seniority will result from taking this holiday.

**Hours of trade:**

12. Trading from stalls shall be between the hours of 7.30am and 5.30pm on any Market day. All traders must be set up and ready to trade by 9.00am and continue to trade throughout the day until 5.00pm. The only exception will be traders who have sold all of their stock. All stalls must be vacated by 6.30pm (or by 5.30pm during the period specified in paragraph 13 below) having been completely cleared and left empty and in a clean and tidy condition.
13. From 27 December up to the weekend of the clocks going forward in the spring the market will close at 4.00pm. All stalls are to be vacated by 5.30pm having been completely cleared and left empty and in a clean and tidy condition.
14. If any stall is not occupied by a licensee or his duly appointed agent or servant before 8.00am on any Market day, the Markets Office reserve the right to re-allocate any such stall for that particular day in which case the licensee shall not be entitled to any refund for that day or to operate another stall for that particular day except at the sole discretion of City of York Council/Markets Office.

**Goods:**

15. Goods offered for sale by the traders must be in strict accordance with the terms of their licence or lease and except by written permission of the Markets Office no additional or alternative goods may be displayed or offered for sale

**The daily allocation of stalls:**

16. Regular licence holders may trade on up to two casual stalls adjacent to their licensed stalls (and pay the casual daily fee) as long as this has been agreed with the Market Office by 7.50am.
17. Casual traders must report to the Markets Office by 8.00am on the day they intend to trade. All stalls unoccupied at that time will be available for casual traders at the discretion of the Markets Office. The allocation of stalls to casual traders will be made on the basis of that day's seniority (except where the Market Office uses its discretion to allocate stalls for the purpose of increasing the attractiveness of the market or with regard to avoiding a commodity clash). Traders will be offered their choice of stall in descending order of points.
18. For casual traders a daily "points system" will be used to formulate each day's seniority list, based on prior attendance. Each

attendance adds 1 point and each absence deducts 1 point until the points level reaches 0.

19. Seniority will be calculated for regular traders according to the length of uninterrupted time that they have held a regular licence. This calculation is specific to each day and each commodity licensed. Seniority cannot be passed on, transferred to or shared with business partners or family.

**Spread:**

20. After 9.00am, when stalls have been allocated to casual traders, the Duty Market Officer will offer both casual and regular traders the opportunity to spread their goods on up to two additional unoccupied stalls. This offer will be made at the discretion of the Duty Officer with the view to making the stalls look attractive and occupied. Seniority will be the deciding factor in who is offered the stalls (except where the Duty Market Officer uses their discretion to allocate stalls for the purpose of increasing the attractiveness of the market or with regard to avoiding a commodity clash). There will be no additional charge for a spread stall.
21. Unallocated or vacant stalls cannot be used for storage and will be covered by market stall coverings held in the Markets storage area.

**Opportunities for new licences:**

22. Opportunities available for new licences will be advertised during March and September to commence on 1 April / 1 October. Any stalls available ahead of these periods will be offered on a casual basis.
23. Licences will be offered in order of seniority.
24. Regular licence holders will also be considered for exchanges or additional stalls.
25. The allocation of stalls shall be at the discretion of the Markets Office.
26. The maximum number of licensed stalls per day permitted for any one business is 6.

**The reputation of the Shambles Market:**

27. Traders must at all times uphold the good reputation of the market. They must not do anything to damage the good name or trading prospects of City of York Council, the Shambles Market or fellow

traders on the market. This includes behaviour outside of the market such as inappropriate or unacceptable use of social media.

### **Vehicles:**

28. A Licensee or his/her agent shall not bring any vehicle on to the market except by an authorised entrance and shall immediately unload such a vehicle prior to commencement of business and then move the vehicle from the market. Vehicles must not be parked or left standing in Silver Street or the Market area.
29. A trader or his/her agent shall not cause or permit any vehicle or trailer to be parked or left standing within the precincts of the market, before or after loading, except with the permission of the Markets Office and subject to the duty officer's discretion and control as to the area which may be taken and the length of time it may be occupied.
30. Traders may only bring vehicles onto the Market after 5:00pm (or close of trade in winter) to load for packing-up purposes. In the event of an emergency or an authorised early closure vehicles will be permitted in the market area after 9:30am and before 5:00pm. Permission must be sought from the Markets Office in such circumstances.
31. Only traders in perishable goods shall be allowed to bring any vehicle on to the market place during the pedestrianised hours, this being for stock "topping-up" purposes only and only then for no longer than is reasonably necessary. A day permit issued by the Markets Office is required for this and any emergency or exceptional circumstances in all cases.

### **The Market Environment:**

32. Traders and those working on their stalls must be polite and helpful to the public at all times. Traders and their agents/employees shall not be a nuisance or annoyance to the public or to the occupiers of neighbouring stalls. This includes obstructing or blocking the view of other traders' stalls.
33. During market hours a trader must not place anything beyond the boundaries of their stall unless specifically authorised to do so by the Markets Office. The brass studs indicate the maximum "building out" limits per stall. Any "building out" privileges can be reduced, varied or withdrawn by the Markets Office, with reasonable notice, to ensure that all avenues, passages and other

areas between stalls, the immediate approaches to the market and adjacent highways are kept free of obstruction.

34. Unless specifically authorised by the Markets Office, traders shall not attract other persons by hard selling, hawking or any form of outcry, nor permit or suffer any sale by auction. Traders in perishable goods may cry out in the selling of remaining produce after 2.00pm.
35. Unless specifically authorised by the Markets Office traders may not use any public address equipment or broadcast by amplifying the sound of any radio, recording, music or musical instrument. Where permission is given for sound systems to be used appropriate to the goods being sold these must be set at just above ambient noise levels.
36. Traders are expected to display their goods attractively. No uncovered banana boxes, cardboard boxes or equivalent will be allowed in any part of the stall. Where using the under stalls for storage this should be covered by floor length cloths.
37. Every trader or his/her employer shall during the day, store within the stall or put into the compactor or receptacle provided by the Markets Office, all empty boxes, cartons and refuse for his trade or business, including fruit and vegetable waste and or trimmings which should previously be put into a bag or box.
38. All reasonable precautions shall be taken to ensure that no loose wrappings or litter shall be dropped on to the ground or allowed to blow away. Refuse must not be allowed to accumulate on or around the stalls.
39. At the close of each days trade, all litter, refuse and empty boxes on or about the stall shall be collected and removed or deposited into the compactor or other such place as may be set aside by the Markets Office, thus leaving the stall in a clean and tidy condition to the satisfaction of the Markets Office.
40. Traders shall not interfere with any fixtures or fittings of the stall, framework or covers or equipment forming part of any electrical circuit.
41. Traders shall take all reasonable precautions to avoid damages to stalls, electrical equipment, surface of the market area and other property of the Markets Office or the property of other traders. Payment to the Markets Office shall be made as to the cost of

repairing and making good any such damage which may be caused by the trader or his agents or employees except through fair wear and tear.

42. No temporary awnings or coves will be permitted. Temporary covers for weather protection may be allowed in exceptional circumstances, but only with the express permission of the Markets Office.
43. The electricity supply to the market is designed for lighting only and no electricity point should be overloaded; the maximum wattage being 300 watts per stall. The running of low wattage items such as electronic scales may be considered subject to the prior consent of the Markets Office.
44. Traders shall use the stall(s) in a diligent and business-like manner and not do, or allow to be done, anything which might be or cause to be a nuisance or annoyance to the public or to the occupiers of neighbouring stalls or which may be detrimental to the Shambles Market.
45. The Markets Office may at any time enter on to any part of the market, including stalls, for the purpose of any of its functions, to inspect or repair any part thereof of any fixtures, fittings, facilities, appliances or structures thereon.
46. Traders must display a sign in prominent position on the stall containing his/her name or registered trade name. This condition does not remove a trader's obligation to display any other information required by law.

**General:**

47. Traders must at all times maintain a valid Third Party and Public Liability Insurance Policy in the sum of £5,000,000 and shall be required to produce a valid certificate or policy at the request of the Markets Office.
48. The Markets Office will take all reasonable precautions but accepts no responsibility for any loss of or damage to the goods or property of any person authorised to occupy a stall including theft of stock or personal belongings.
49. Traders shall comply with the provision of all Acts of Parliament, Bye-laws and any Orders or Regulations made there-under relating

to Food Hygiene and Safety, Sale of Goods and Weights and Measures.

50. All traders must be able to prove their eligibility and that of their staff to work in the UK. National insurance numbers shall be provided to the Markets Office for this purpose.

**Compliance with the Regulations:**

51. The decision of the Markets Office on any matter concerning the interpretation of these regulations is final. Traders and their staff must comply with all reasonable requirements of the duty markets officer or his/her duly authorised officer.
52. Traders shall ensure that his/her agents, employees and other persons assisting him carrying on his business in the market, are fully aware and observe and comply in all respects with the requirements of these regulations.
53. Any trader who does not abide by these regulations will, in the first instance, be reminded of the need to comply with them. The Market Office may issue a warning or warnings. The Market Office reserves the right to give notice to terminate the licence or lease of any trader who repeatedly contravenes these regulations or breaches their licence or lease obligations.
54. In the case of severe misconduct the Duty Market Officer, or other manager, may suspend a trader with immediate effect. Severe misconduct may include:
- Theft or fraud
  - Falsification of documents
  - Physical violence
  - Bullying, harassment, intimidation or discrimination of a member of the public, another trader or a member of staff
  - Deliberate damage to property
  - Behaviour or conduct bringing the market into disrepute or deleterious to the trading prospects of fellow traders on the market.
  - Negligence which causes or may cause loss, damage or injury
  - Infringement of Health and Safety

This list is neither exclusive nor exhaustive and action may be taken in relation to other offences.

**Dispute resolution:**

55. A formal appeal / dispute resolution procedure will be operated providing for the right of appeal against any decision taken under provisions in paragraphs 52 and 53. Appeals will be heard by a senior officer who has not been involved in the original decision.

**The Market Traders Association:**

56. The Market Office will hold regular meetings with representatives of the Market Traders Association to discuss and consult upon all matters concerning the day to day operation and future development of the Shambles Market and any future updating of these regulations.