



Lymington &
Pennington
Town Council

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Lymington Charter Market Regulations

1. By Charter the Market shall be held on Saturday in every week throughout the year.
2. No person shall at any time trade in the Market without first obtaining permission from the Market Supervisor or the appointed representative of the Lymington & Pennington Town Council ("the Council").
3. The allocating of stall sites to market traders will at all times be under the direction and supervision of the Town Clerk and the Market Supervisor. A stallholder shall be the principal trader. Stall sites are not re-assignable. Any infringement of this regulation will result in the forfeiture of the stallholder's permission to trade on the market.
4.
 - a. Vacant stall sites for regular occupancy will normally be allocated to applicants of the longest standing on the waiting list of applicants kept at the Town Hall, Lymington, and who intend carrying on a trade either similar to that of the previous occupier of the stall site in question or a trade not in direct competition with adjacent stallholders.
 - b. This rule may be varied to allow for an even balance of trade on the Market at the discretion of the Market Supervisor/Market Subcommittee.
5. Stall sites becoming vacant on a casual basis may be allocated to applicants present at the discretion of the Market Supervisor.
6. All stall sites are allocated only for the day's trading and on the basis that the stallholder or one of three registered nominees none of whom shall be under the age of 16, shall be present at all reasonable times during trading hours on the market day.
7. Any stallholder who regularly occupies any site but who fails to attend the Market on two consecutive Saturdays without first giving notice to the Market Supervisor shall forfeit any site.
8. On becoming a permanent stallholder all pitch payments are required to be made by Standing Order. A stallholder who cancels the Standing Order without first obtaining permission will forfeit the right to the allocated stall.
9. A stallholder will be allowed up to only six absences in a twelve month period, only three of which may be consecutive after which any absences will result in the stallholder either being required to reapply for their space and/or being removed from the list of regular traders. This will not apply in the case of proof of certified sickness or where exceptional circumstances have been agreed.
10. The nature of the trade declared by an applicant for any stall site and carried on the stall must include goods for sale and shall not be changed without prior consent of the Market Supervisor and/or Market Subcommittee.
11. The stallholder shall not trade or do anything that causes or is likely to cause a danger, nuisance or annoyance to the Council, other stallholders, local traders, or visitors to the Market. In particular he/she shall not use any amplified or any other device that creates a noise which may or is likely to cause such a nuisance.

12.

- a.** A Casual stallholder must pay to the Market Supervisor upon demand the stall site rent payable at the rate applicable for the size of the stall site. This is currently £2.25 per foot (30cm) plus a £10.00 premium per each 10 foot during the period 1 May – 30 September and £5.00 for the period 1 October – 30 April. A Casual stallholder who has attended on 6 consecutive Saturday's will be confirmed as permanent on a strict first come first served basis and if and when a suitable permanent site is or becomes available. All Permanent stallholders are currently being migrated to Standing Order.
- b.** Be present on the *allocated* stall site no later than 7.45am where the stall site is held on a regular occupancy. Consideration will be given to the benefits of grouping some traders eg fresh foods, together so that they can leave earlier without leaving gaps.
- c.** Ensure that all vehicles used in connection with the unloading and loading of goods are parked in such a way, and for as short a period of time, as to avoid unnecessary hindrance to road users and the public in general and in particular shall ensure that such vehicles are removed from the street as early as possible in the morning and in any event, not later than 8.30am. At no earlier than 4.00pm vehicles will be allowed to return to the street to commence the close of business; all stall sites must be cleared and vacated before 6.00pm. The possibility of seasonal operating times will be considered
- d.** Ensure that the stall erected on the stall site allocated together with goods placed adjacent to the said stall does not interfere with the passage of vehicles. The Market Supervisor shall use his/her discretion to ensure that the roadway is passable. The lower edge of any canopy overhanging the pavement and any articles for sale displayed shall be a minimum of 2.15 metres (7.05ft) above the level of the pavement. The length of the stall site may vary according to the size of the stall site but the maximum in each case shall be determined by the Market Supervisor.
- e.** Display a sign in a prominent position on any stall containing the name or registered trade name of the trade and business and location (i.e. town, village) in legible block letters not less than 5cms high. This condition does not remove a stallholder's obligation to display any other information required by law.
- f.** Ensure that no trading shall take place into the carriageway; the trading shall only be on the pavement.
- g.** Confine any goods and associated containers safely within the area of the stall site and leave any adjacent access between or through stalls completely free of any obstruction.
- h.** Ensure that all refuse and litter originating from the stall is placed securely in suitable containers and not allowed to disperse and at the end of the day's trading, place such containers at the kerbside in an orderly manner for collection by the Council's refuse collectors.
- i.** Where applicable, comply with requirements of the Food and Drugs Act, Food Hygiene Regulations and any other statutory provisions applicable to the sale of goods in the Market.
- j.** Provide sufficient Public Liability Insurance (PLI) and Food Hygiene Ratings and confirmation of which Local Authority the stallholder is registered with if applicable to the stallholders activities whilst present at the Market and provide a copy of both PLI and other relevant documents to the Market Supervisor.
- k.** Ensure any stall is conducted in an orderly and safe manner, and comply with all proper and reasonable instructions of the Market Supervisor and any instructions given by the Police.

13. If the stallholder fails to observe the above conditions or perform the obligations herein contained, he shall forfeit the site allocated to him/her and shall, if appropriate, and if so required by the Market Supervisor, vacate the stall site immediately.

14. In the event of a forecast of or in deteriorating extreme weather conditions the Market Supervisor may decide to cancel or curtail the market for safety reasons. Every attempt will be made to contact stall holders as early as possible if the decision is made on a Friday evening.

15. The Council reserve the right to amend the above regulations at any time, and in particular does not bind itself to abide by the normal practices stipulated above and shall not be required to give reasons to applicants or stallholders when normal practices are varied. The foregoing rules shall be read and interpreted with each other.