

City Markets Glasgow

Retail Markets Rules and Regulations

These Regulations are applicable to the usage by traders of the stalls and pitches of City Markets Glasgow's Retail Markets wherever situated, together with their environs, public and vehicular thoroughfares and toilet facilities, and also to the conduct of the traders within this context.

These are general Rules and Regulations and should be read in conjunction with the Rules and Regulations specific to individual retail markets. In respect of trading times, access to market sites (including vehicle access) and setting up and dismantling times, the Rules and Regulations specific to individual markets will take precedence.

Reference within these Rules and Regulations and within the Rules and Regulations specific to individual retail markets to the "Site Manager" is taken to mean the officer of City Markets Glasgow with responsibility at that time for the on site operation of that retail market.

Attendance

- 1) Traders with regular reservations of stalls or pitches must occupy their stalls or pitches by 8.00a.m., or notify the Site Manager of their late arrival by this time, otherwise the stall or pitch may be allocated to another trader. In the event of unavoidable delay, illness, vehicle breakdown or other reasonable cause, a delay in taking occupancy up to 9.00a.m. may be granted at the discretion of the Site Manager. At 8.30 a.m. all stalls and pitches still vacant will be allocated (for that day only) to members of the Casual List without prejudice to the liability of the regular stallholder to pay the relevant charge for that day. Where notification of late arrival has been given, the Site Manager may allocate the stall or pitch to another trader prior to 9.00a.m., solely at his discretion.
- 2) Traders must be open for business from 9.00a.m. to 3.00p.m. unless prior permission to the contrary has been obtained from the Site Manager and a satisfactory explanation is given for the absence or delay. Traders are not permitted to commence packing away goods, removing canopies or dismantling stalls until after 3.00p.m. These hours may be varied at the discretion of the Site Manager.
- 3) Absences due to sickness extending beyond one week must be supported by a Medical Certificate and further certificates must be furnished upon request to the Site Manager. Absences, including those supported by a Medical Certificate, will be subject to the full charge appropriate to the space reserved. Other absences must be notified to the Site Manager at least one week in advance and must not exceed four weeks in any calendar year, unless exceptional circumstances exist and the prior approval of the Site Manager is granted. Absences exceeding four

weeks in any calendar year and absences which have not been notified to the Site Manager at least one week in advance will be subject to the full charge appropriate to the space reserved.

- 4) City Markets Glasgow reserves the right to limit the number of authorised absences at any market at any one time.
- 5) New traders will be granted authorised absences on a pro-rata basis dependant upon their length of record of attendance on each market.
- 6) Traders may be refused permission to trade where there are reasonable grounds for refusal, such as breaches of these Rules and Regulations, the Rules and Regulations specific to individual retail markets, or failure to comply with legislative requirements.

Conduct

- 1) The use of violence or racist, sexist, sectarian, homophobic, obscene or abusive language or behaviour towards any other traders, members of the public or City Markets Glasgow staff is prohibited.
- 2) Traders, their staff and all attending the market will observe and carry out the instructions and directions of City Markets Glasgow staff, authorised officers of Glasgow City Council and the Police.
- 3) Traders will be responsible for the conduct of any person, whether paid or unpaid, employed by them in connection with their business on the market. City Markets Glasgow reserves the right to refuse to allow any person to work (whether paid or unpaid) at any time on a stall or pitch who, in the opinion of City Markets Glasgow, is unsuitable by reason of age or conduct for such employment.
- 4) Traders and their employees, whether paid or unpaid, are required to conduct themselves in an orderly manner and are not permitted to do any act which may cause the public to congregate around the stall or pitch in such a manner as to cause obstruction to another stall or pitch or pedestrian avenue.

General

- 1) Vehicles may not be brought on to a market between the hours of 9.00 a.m. and 3.30 p.m..
- 2) A regular reservation of a stall or pitch will only be granted after the completion by the prospective regular trader of a signed undertaking to sell only a fixed class of goods upon the official form provided.
- 3) Traders and their staff, whether paid or unpaid, will be registered under City Markets Glasgow's Trader Registration Scheme. Each person registered under this scheme will be issued with an identity card. Identity cards must be worn, and be visible to the Site Manager, Glasgow City Council Officers and visitors to the market, at all times.
- 4) Traders whose Trader Registration Scheme identity cards are lost, misplaced or stolen will require to re-register and to pay the appropriate registration fee before being permitted to trade on any of the retail markets operated by City Markets Glasgow.
- 5) Traders who give up their space on a market and who wish to take space on the same market at a later date will require to pay a re-registration fee of £150.00.
- 6) The number of traders on any market permitted to sell a particular class of goods will be solely at the discretion of City Markets Glasgow.
- 7) Approval to sell a fixed class of goods is granted subject to all agreed lines within this class of goods being displayed for sale at all times. Where a trader fails to display for sale for a continuous period of 4 weeks a particular line then permission to sell this line will be withdrawn.

- 8) Traders with approval to sell fresh produce, eg. Butchermeat, Fish, Poultry, Fruit and Vegetables and Bakery Products, are required to provide appropriate equipment for the display and sale of such produce, e.g. chilled cabinets, to the satisfaction of City Markets Glasgow. The minimum requirement in this respect is equipment which enables compliance with all European, Central and Local Government Legislation in respect of the display and sale of foodstuffs; however, City Markets Glasgow reserves the right to demand the provision of equipment not required by legislation.
- 9) Additional lines or changes of lines may be permitted at the discretion of City Markets Glasgow either permanently or for a specified period of time. Requests for additional lines and/or changes of lines must be made in writing to the Operations Manager. Written permission from the Operations Manager or a nominated officer must be obtained before selling any new lines and a new undertaking must be completed. Acknowledgement of receipt of requests for changes or additions to lines will be made in writing within 7 days of receipt of the request. Notification of the decision of the Operations Manager or a nominated officer in respect of requests for additions or changes to lines will be made within 14 days, wherever practicable, of receipt of the request.
- 10) City Markets Glasgow reserves the right to control the type of goods permitted to be sold, e.g. No cigarettes, tobacco, alcohol, animals (domestic or otherwise), fireworks, firearms, offensive weapons, (or replicas of the same), laser pens, counterfeit goods (e.g. clothing, perfume, aftershave, computer software, c.d's, videos/audio tapes) i.e. No product in breach of copyright legislation may be sold. No items of a sectarian nature or items which could encourage or assist the taking of illegal substances may be sold. Moreover, traders are prohibited from selling to any person under the age of 18 any product of whatever kind containing any of the following chemicals, videlicet: compound, liquid or chemical, containing Acetone, Amyl Acetate, Benzene, Butane, Carbon Tetrachloride, Cyclohexanone, Ethyl Acetate, Hexane, Isopropopanol, Methyl Ethyl Kentone, Methyl Isobutyl Kentone, Methyl Cellosolve Acetate, Methylene Chloride, Petroleum Hydrocarbons, Tetrachloethylene, Toluol, Toluene, Trichloroethane, Trichloroethyene, Xylene, Amyl Nitrate and Isobutyl Nitrate unless such product contains also an inhalation repellent. This list is not exhaustive.
- 11) Market charges must be paid immediately and at the time and to the office designated for payment of such charges. Relief from charges will only be granted to traders for absences up to four weeks in any calendar year where such absences have been notified to the Site Manager at least one week in advance of the period of absence. Any reservations or other charges outstanding for absences from the market must be paid in full on the first day of return to the market. Any trader who refuses to pay outstanding charges will have his/her right to trade on all City Markets Glasgow markets withdrawn.
- 12) Traders must not place anything outwith their designated trading area without the prior approval of the Site Manager. Where such approval is given, additional space will be charged at the full rate in multiples of 1.83 metres (6 feet).
- 13) Traders must comply with all relevant European, Central and Local Government legislation relating to their business. City Markets Glasgow reserves the right permanently to exclude traders who have been convicted of, or formally cautioned for : (1) offences relating to their trade or business on any market or (2) offences which, in the opinion of City Markets Glasgow, place users of the market at risk from the presence of the trader.
- 14) Traders must inform the Site Manager in writing of any change of address.

- 15) City Markets Glasgow may alter the position or alignment of stalls or pitches either temporarily or permanently if, in the opinion of City Markets Glasgow, such alterations are beneficial to the market or to accommodate installation, repairs or reinstatement of services, roadways, public access walkways etc.
- 16) City Markets Glasgow reserves the right to allocate any available stall or pitch without regard to the lines being sold by traders in adjacent stalls or pitches.
- 17) Traders are responsible for maintaining the cleanliness of the space which they occupy. Rubbish and waste must be placed in the receptacles and/or refuse sacks provided. Particular attention should be given to plastic bags and wrapping. Coat hangers must not be left loose on the ground but must be collected together and placed in the receptacles and/or refuse sacks provided. City Markets Glasgow reserves the right to insist that individual traders take responsibility for disposing of any and all refuse generated by them in the conduct of their businesses.
- 18) Traders are required to produce on request proof of identity, including address, and proof of their National Insurance number, which will be recorded by City Markets Glasgow staff and retained on file.
- 19) Stalls or pitches made vacant by termination of a regular reservation will normally be let as follows. Firstly, by transfer to a regular trader upon his relinquishing his current stall or pitch. Where more than one such trader applies length of service on the market in question will usually decide the allocation. Secondly, to the casual trader with the most attendance points. Notwithstanding the same, stalls and pitches may, at the discretion of the Operations Manager or a nominated officer, be allocated outwith the normal priority system where it is found that by doing so the diversity of goods sold within the market would be widened.
- 20) Traders with more than one stall or pitch may not surrender a stall or pitch for a limited period of time.
- 21) The sub-letting of stalls or pitches or any part thereof is prohibited. Traders may not dispose of or transfer the reservation of any stall or pitch.
- 22) The grant by City Markets Glasgow of each stall or pitch will be on a daily basis only, despite any references to reserved stalls or pitches in these regulations.
- 23) Each trader will be allocated a sign with a number unique to him/her. Each number will be recorded opposite the relevant trader's name in the Retail Markets ledger. Numbered signs must be displayed in a prominent position on the front of traders' stall or pitches and must remain displayed from the start to the close of each day's business.
- 24) Traders are not permitted to move any stall, or part thereof, away from or within the market without the prior consent of the Site Manager.
- 25) Traders shall not use, or permit the use of, any oil, solid fuel, electrical or gas heaters in their stalls or pitches.
- 26) Traders shall not ring any bell or blow any horn or use any other noisy instrument or loudspeaker to attract the attention or custom of any person to any sale or to any goods intended for sale.

- 27) Traders shall not use the method of selling known as “demonstrating” without the prior consent of the Site Manager. The Site Manager has authority, where such consent is granted, to designate an area within the market to be used for “demonstrating”. The decibel, that is, noise level, of such will be entirely at the discretion of the Site Manager.
- 28) Traders shall conduct their trading in such a way as to ensure so far as is reasonably practicable that any persons present on the market, whether a trader or a member of the general public there for any purpose whatsoever, is not exposed to any risks to their health and safety and shall in all respects comply with the Health and Safety at Work Act 1974 or any statutory modification or re-enactment thereof from time to time in force.
- 29) Traders shall not use radios or any equipment for the reproduction of sound and/or vision on stalls or pitches without the prior consent of the Site Manager when such is required in connection with the traders business. The bringing onto the market of such equipment for any other purpose is forbidden. Any trader using such equipment shall be responsible for any fee payable to the Performing Rights Society or to any other body in respect of the broadcasting of the sound or pictures or copyright or otherwise. The decibel, that is, noise, level of such will be entirely at the discretion of the Site Manager.
- 30) The Site Manager can seek the immediate removal of any trader, his employees, or any other person associated with the trader, who, in his opinion, is causing a nuisance, annoyance or danger to other traders, City Markets Glasgow staff or the public or who damages any property of City Markets Glasgow.
- 31) Damage or failure of any plant or equipment belonging to, or hired or leased by, City Markets Glasgow shall be reported immediately to the Site Manager and no attempt whatsoever shall be made to effect a repair. No person shall interfere with any plant or equipment belonging to, or hired or leased by, City Markets Glasgow.
- 32) The giving and receiving of gratuities is strictly against the policy of City Markets Glasgow.
- 33) All privately owned stalls, canopies, sales vehicles or stands must be constructed to a specification and maintained in a state of repair acceptable to City Markets Glasgow, all to be done at the expense of the traders.
- 34) Stall canopies must be in place from start to close of business on each market day.
- 35) The trader in whose name the stall or pitch is reserved shall be present at the stall or pitch throughout each market day and not delegate this save for periods of up to a maximum of four weeks in any calendar year and to notify the Site Manager in writing of such periods. Requests to delegate attendance for periods over four weeks must be made in writing to the Operations Manager and may be granted at his discretion. Before any request to delegate attendance is considered, the trader in whose name the stall or pitch is reserved will be required to provide confirmation of validity of Public Liability Insurance cover for the proposed period of delegated attendance.
- 36) Traders must secure any carpets and/or vinyl floor coverings on display with retaining clips of a type to be approved by the Site Manager.

- 37) Traders shall not use generators without the prior consent of the Site Manager when such is required in connection with the traders business. The decibel, that is, noise level of such will be entirely at the discretion of the Site Manager.
- 38) Stall overhangs may be permitted to the front and (where appropriate) side of stalls. The distance such overhangs may protrude from the front and side of stalls will be solely at the discretion of the Site Manager. A minimum clearance of 2 metres must be maintained between the ground and any goods hanging from the overhang.

Liability and Insurance

- 1) Casual traders attending the market for the first time must provide proof of identity, including address, proof of possession of public liability insurance to a minimum of £5million and proof of their National Insurance number.
- 2) Traders must possess valid public liability insurance to a minimum of £5million and must, on demand, produce their certificate of insurance for inspection by City Markets Glasgow staff.
- 3) Traders and their employees (whether paid or unpaid) shall have no claim against City Markets Glasgow for any loss or damage sustained through fire, theft or other cause whatsoever.
- 4) City Markets Glasgow will not be responsible for personal injury or death unless the personal injury or death has been caused by the negligence of City Markets Glasgow or its Officers.
- 5) Traders shall have no claim for compensation for loss of goodwill or otherwise on the termination of his reservation or at any other time.
- 6) Traders shall indemnify City Markets Glasgow from and against all actions, proceedings, damage, claims, losses or outgoings of whatever nature arising out of the traders use of any stall, pitch, vehicle or stand etc. on the market.
- 7) It shall be the responsibility of the trader to insure his stock, fixtures, fittings and any other valuables brought into the market against damage by fire, theft or flood.

Casual Traders

- 1) Casual traders must be open for business from 9.00a.m. to 3.00 p.m. Casual traders are not permitted to commence packing away goods, removing canopies or dismantling stalls until after 3.00p.m. These hours may be varied at the discretion of the Site Manager.
- 2) Casual traders may be refused permission to trade where there are reasonable grounds for refusal, such as breaches of these Rules and Regulations, the Rules and Regulations specific to individual retail markets, failure to comply with legislative requirements or occasions where the balance of the market would (in the opinion of City Markets Glasgow) be adversely affected.
- 3) Attendance by a casual trader will be entered on a register, after completion of a signed undertaking to sell only a fixed class of goods upon the official form provided. Requests for a change to a different class of goods must be made in writing to the Site Manager whose decision shall be final and binding on the trader. One point will be received for attendance on each market day.
- 4) Casual lettings will be made from the casual list for each market day and the priority for allocations will be decided by the number of previous attendances recorded, but not withstanding the same, stalls or pitches will, at the discretion of the Site Manager, be allocated outwith the normal priority system where it is found that by doing so the diversity of goods sold within the market would be widened.
- 5) Casual traders must inform the Site Manager in writing of any change of address.
- 6) Applications for stalls or pitches must be made to the Site Manager by 8.30a.m. on the day of the market by members of the casual list personally (a person and their partner shall count as one member of the casual list).
- 7) A break in attendance by a casual trader without a justifiable reason, for three consecutive weeks, will result in his name being removed from the casual list and in any other case where a casual trader fails to attend the market regularly, the Site Manager may, at his absolute discretion, remove the trader's name from the casual list.
- 8) No proxy attendance will be allowed or registered regarding the casual list members.
- 9) A casual trader who refuses to accept the offer of a regular reservation may be removed from the casual list and may be required to re-register on the casual list.
- 10) A casual trader offered a vacant stall or pitch on any market day, which is refused, will be removed from the casual list and will require to apply to be re-registered.
- 11) City Markets Glasgow reserves the right to control the size of any casual list on City Markets Glasgow's markets to a number proportional to the efficient management of any market entirely at its own discretion.
- 12) City Markets Glasgow reserves the right to suspend registration of casual traders from time to time.

Penalties

- 1) Any act or omission which contravenes one or more of these Regulations may be subject to a penalty. The penalties are as follows : Verbal Warning (confirmed in writing), Written Warning, Final Written Warning, Suspension, Ban for a set period, Permanent Ban.
- 2) The penalty imposed for any particular incident will depend on the seriousness of the breach and any previous penalties imposed.
- 3) In the event that a trader is suspended by the Site Manager the facts will be reported to the Managing Director, who will nominate an officer of City Markets Glasgow to investigate and, if appropriate, initiate further action. Such action may include immediate termination of any reservation for any stall or pitch for a pre-determined period or the permanent banning of the trader from all markets operated by City Markets Glasgow.
- 4) The trader will be notified in writing of such action and may submit a written defence to the Managing Director for his consideration.
- 5) Any decision made by the Managing Director or nominated officer will be notified to the trader in writing and the action will be implemented on the first market day after the date of the letter, which will be clearly stated.

Options

1st offence – warning letter which remains on file for 52 weeks

2nd offence within 52 weeks – suspension for 1-3 weeks

3rd offence within 52 weeks – barred for a period to be determined by City Markets Glasgow

Notwithstanding above, serious breaches will result in immediate suspension and City Markets Glasgow decision on length of ban

Procedures for dealing with complaints

- 1) Complaints by traders in respect of any matter affecting the market must be brought to the attention of the Site Manager, in writing, for investigation, relevant action and, if necessary, notification to the complainant of the result. Acknowledgement of receipt of complaints will be made in writing within 7 days of receipt of the complaint and notification to the complainant of the result will be made, where necessary, within 14 days of the receipt of the complaint, where this is practicable.
- 2) If a complainant is not satisfied with the action taken by the Site Manager on any complaint then the matter may be referred by letter to the Operations Manager.