

London Borough of Southwark

BYELAWS FOR MARKETS

Byelaws for markets made by Southwark Council under section 60 of the Food Act 1984 with respect to all Markets listed in the Schedule attached to these byelaws.

INTERPRETATION

1. In these byelaws:

“The council” means Southwark Council

“Goods” means anything brought into the market place for the purpose of sale;

“Market” means any market maintained by the council and listed in the Schedule to these byelaws;

“Market hours” means the hours on a market day appointed by the council for the holding of a market;

“Market day” means a day appointed by the council for the holding of a market;

“Market officer” means the person or persons appointed by the council to exercise general management, supervision and control of a market;

“Sell” and “sale” include exposing and exposure for sale;

“Pitch” includes any place or space used or intended to be used for the sale of goods;

“Vehicle” means a mechanically propelled vehicle [whether or not] intended or adapted for use on roads but does not include an invalid carriage.

MARKET DAYS AND HOURS

2. No person shall sell in a market place any goods other than during market hours.
3. The market shall operate between the hours set down for that particular market location. There shall be no trading in the event of Christmas Day, Boxing Day or New Years Day falling on a market day unless a prior agreement has been reached by all parties.
4. All traders must vacate the market area by the end of the trading day including the packing up time. No trader shall vacate their pitch before 2pm other than Bermondsey Antiques Market which will be 1pm.
5. The Markets Officer shall have the right to close the market at his/her absolute discretion on the grounds of public safety. Refunds of pitch fees will only be made if the market is closed prior to 10.00hrs on the day of trading.

LICENSING OF TRADERS

6. The Licence is personal to a trader and shall be in the name of the registered trader only. At the written request of the registered trader and provided an Agreement has been completed by the Council at the cost of the trader, the licence shall be deemed to include a spouse or cohabitee.
7. When the holder of a licence has specified a relative to whom they desire the licence to be granted dies or retires or notifies the Council that owing to ill health they are unable to continue trading, the licence can be transferred by way of a next of kin transfer. For the purposes of this section a person shall be treated as being related to another if the latter is the wife, husband, father, mother, grandfather, grandmother, stepfather, stepmother, son, daughter, grandson, granddaughter, stepson, stepdaughter, brother, sister, half-brother, half-sister, uncle, aunt of the former and shall be deemed to be so related notwithstanding that he is so related only through an illegitimacy or in consequence of an adoption.

PREVENTION OF OBSTRUCTION

8. No person shall bring a vehicle or a cycle into the market place during market hours without reasonable excuse.
9. No person in charge of a vehicle shall, during market hours allow it be halted in the market place, or in its immediate approaches, for longer than is reasonably necessary for the loading or unloading of goods.
10. No person shall bring any goods into the market place more than one hour before the market hours begin or allow them to remain there more than one hour after the market hours end.
11. When loading/unloading their vehicles, all traders shall cause the minimum amount of obstruction and inconvenience to the general public, other traders or council employees and contractors. In particular traders must comply with requirements to ensure emergency access as the Markets Manager/Officer deems necessary.
12. No trader shall allow or cause any goods to be placed on any stall/pitch or space such that they encroach beyond the allotted limits of the stall/pitch.
13. The trader must not do or permit anything which may be or become a nuisance to any member of the public, neighbouring business or any occupiers of neighbouring or adjoining stalls/pitches and to use the stall/pitch in a diligent and business like manner.
14. The stalls are erected in accordance with pitch layout held by the Markets Manager and as delineated in the Traders Licence Agreement.
15. Stalls are not to be moved from their respective markers/allocated space.
16. During construction /unloading /dismantling /loading operations traders must ensure that they carry out such in such a manner to safeguard themselves, their colleagues and members of the public.

AUTHORITY TO USE SPACE

17. No person shall occupy any pitch or deposit any goods on any stall without the permission of the market officer.

18. No person shall set up or attempt to set up on a pitch in the market place without the permission of the market officer.

19. All persons occupying pitches shall be governed by the general market regulations set down from time to time.

20. Where the council:

Designate any part of the market place for the sale of particular goods or any class of goods, or for sales by auction, and

No person shall sell goods, or hold sales by auction, except in accordance with the terms of that designation.

FOR MAINTAINING CLEANLINESS

21. Every tenant or occupier of a pitch shall:

- I. shall ensure that his/her stall and any adjoining passages, whether used by them alone or in conjunction with other traders, is properly cleared throughout the day so as to ensure that litter is not allowed to accumulate and will be removed from the stall / pitch at the end of the day..
- II. You or your assistant must put all refuse arising from your business in suitable containers that you or we supply. The containers must be kept exclusively for that purpose and must be removed or emptied from time to time as necessary into a vehicle or container provided for the purpose.
- III. You or your assistant must ensure that all wastewater is collected in a secure container and discharged in a way that does not cause a nuisance.
- IV. You and your assistant must give every assistance to any contractor employed in refuse or cleaning services. Any arrangements we make to clean street trading areas do not take away the responsibilities of you or your assistant under the Environmental Protection Act 1990 (or any subsequent or superseding legislation).
- V. Litter bins where provided for use by the general public only and not trade litter.
- VI. Traders providing containers for food or drink consumption on the market place shall make such additional arrangements for litter as shall be deemed necessary.

FOR PREVENTION OF SPREAD OF FIRE

22. No person shall smoke within the pitch area during market operational hours.
23. No person shall light a fire in any part of the market place.
24. No person shall keep or sell any explosive or highly flammable substance in the market place

FOR PRESERVATION OF ORDER

25. No person shall ring any bell or blow any horn or use any other noisy instrument or loudspeaker to attract the attention or custom of any person.
26. No persons shall post or display any bill, placard or poster, other than a description of goods advertised for sale, in any part of the market place except with the permission of the market officer.
27. No person in the market place or in its immediate approaches shall, except by way of sale, distribute or attempt to distribute to the public any printed matter except with the permission of the market officer.

USE OF WATER TAPS

28. Any person who uses a water tap in the market place shall ensure that it is turned off immediately after use.

ANIMALS

29. No person shall bring into or allow to remain in the market any dog or other animal belonging to him or in his charge unless it is attached to a lead, or otherwise kept sufficiently secured, and kept at all times under his control .
30. (a) No tenant or occupier of a pitch shall keep any dog or other animal at his pitch.
(b) Nothing in paragraph (a) above shall prevent a blind, partially sighted or deaf person from keeping with him any guide dog or hearing dog belonging to him or in his charge.

PENALTIES

31. Any person offending against any of these byelaws shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.