

Brixham Town Council

Report No:	08-2019		
Report Type:	Public		
Title:	Market		
To:	Town Hall Sub Committee	Date:	01.03.19
Contact Officer:	Tracy Hallett	Town Clerk	
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Purpose of Report

To consider the viability and sustainability of the Pannier Market.

Background

As a result of the previous Market Managers accruing debts with the Town Council and the low number of traders returning on Monday 28th January, the Town Council has agreed to take over the running of the Market until due diligence has been carried out to assess whether the Pannier Market is a viable business.

Prior to this the Town Council allowed a Stall holder to be the Market Manager. This person signed a Licence to Occupy the Scala Hall three days per week for 49 weeks per year at a rate of £14,000 per annum.

What is a Pannier Market?

A Pannier Market is a form of indoor market especially popular in Devon. They take their name from the panniers once used to carry goods to market on the back of packed animals.

The word “pannier” derives from the French meaning ‘basket’, so “pannier market” literally means “basket market”.

Brixham Pannier Market

Brixham Pannier Market originally traded in the Old Market House and was then relocated to Brixham Town Hall.

As you will see above, the Pannier Market was originally established for those that carried a pannier bag on the back of an animal and therefore set up would not have taken long. However, today’s traders advise that they require 2 – 3 hours to set up and a further 2 hours to dismantle.

It is therefore believed that the current Brixham Pannier Market is not a traditional “pannier” market. This would give the Town Council an opportunity to revamp the name as well as the possibility of relaunching the market.

Market Traders

The market reopened for business on Monday 28th January 2019. At the time, there were 5 stallholders selling the following products:

- Gifts / Socks
- Pet Food
- Handmade Fabric items ie cushions, doorstops, bunting, novelty fabric gifts

- Silver, Purses, Scarfs, Gifts, Puzzle Books
- Handmade Greeting Cards, Box Frames Sticker, Fridge Magnets, Framed Photos, Colouring Books

Since then, some new stall holders have been introduced to the market.

Market Management

The previous Market Manager was only able to provide contact telephone numbers for stall holders. The Town Clerk and Deputy Town Clerk met with the existing traders to advise them that the Town Council would be running the market in the interim until such time that the Town Council had reviewed it. The following was agreed as part of the interim period:

Stallholders Pack

A temporary stall holders pack had been created (see Annex One). All stall holders are expected to complete the form and return it to the Town Council office along with a copy of their Public Liability Insurance.

Set up

The existing stall holders were not open to setting up on the morning of trading and advised that if they were made to do this, they would not trade at the market. It was therefore agreed that during the interim period, set up for existing stall holders only would be as previously agreed (from 12 noon on Sunday afternoon). However, new stall holders would have to accept that set up would be from 7.30am on the day of trading.

The discretionary agreement of the market traders remaining set up each evening unless Brixham Town Council hire the hall has remained for the interim period.

Charges

The previous Market Manager had a charging structure for new stall holders but had agreed various different charging structures for the existing stallholders.

The charges have been honoured by the Town Council for the interim period and are as follows. Please note, this is not in the same order as the list above.

Stall holder	Charge per week	Trading days	Number of tables
Stall holder A	£60	3	5 tables
Stall holder B	£42	3	5 tables
Stall holder C	£45	3	2 tables
Stall holder D	£30	2	2 tables
Stall holder E	£62	3	4 tables

	Table One	Extra table
New Stall holder charges per table per day	£10	£5

Kitchen

£30 per day which includes 3 tables in kitchen corner and 4 tables for customers to sit at.

Unlock / Lock

One of the stall holders has agreed to unlock the Scala Hall for a Sunday afternoon set up.

Trading Times

The market should be open for trade between 9am and 3pm Monday, Tuesday and Wednesday. Traders are not permitted to pack up early.

Dismantle times

Traders were reminded that vehicles are not permitted in the Car Park before 3:00pm and consideration must be given to other users of the Town Hall.

Traders should clear the Hall by 4pm and pack tables away, it was noted the Facilities Officer assists with clearing the Hall when he is able to.

Parking

Two spaces will remain available at £2 per day.

Holiday/ Sickness

Any stall holder planning on taking holidays should provide the Town Council with as much notice as possible. 50% of their fee will be charged to guarantee them a stall pitch in the market.

Communication

Traders were reassured that the Town Council Officers are here to resolve any issues and it was agreed that one stall holder would be the spokesperson on behalf of the market.

Traders concerns

During the meeting, stall holders raised the following concerns:

How will new stalls be vetted?

All traders must complete a booking form declaring what goods will be sold. Authorisation will be given by the Town Council. Some duplication of stalls might occur if the products are different from another stall holder i.e. Jewellery.

How will you control current traders from monopolising and increasing the goods they sell?

The Council Officers will monitor.

Who will Advertise?

The Town Council will promote through press releases, social media and the Brixham Signal newsletter. The Pannier Market will continue to manage the existing Facebook page for the interim period.

The current Banners and A frames are permitted to be displayed, although it was noted the current Banner is out of date and the signage needs tidying up to improve kerb appeal.

Lack of catering?

Concerns raised at the lack of a catering trader to run the kitchen.

Insurance

All traders **MUST** provide proof of their Public Liability Insurance to the Council Office. Traders asked if they could have a joint cover, which the Town Clerk felt was reasonable, but it would be the responsibility of the Traders to obtain.

Extra tables while quiet

Traders advised they have been spreading out during quiet times to give the appearance of the Hall being busier. The Town Clerk agreed this can continue until new stall holders had been found.

Footfall

The market does not attract locals. In the summer season the footfall increases with visitors. Some traders who work at other markets have advised that they earn more at other one day markets than they do at Brixham's three day market.

Café

Stall holders are reliant on a café to attract visitors to the market. However, the kitchen is not ideally located. The main fuse board for the Town Hall and Theatre are located here as well as adjoining one of the fire escape stairwell for the Theatre. In this respect, there are limitations. No frying, limited space and resources to name but a few. This therefore has an impact on the type of caterers that are interested in running a Café.

Additional Opening Days

The existing stall holders have enquired about opening for the following events:

Easter Weekend:	Friday 19 th – Sunday 21 st April
Pirate Festival Weekend:	Friday 3 rd – Sunday 5 th May
Christmas market:	Thursday 5 th to Sunday 8 th December

These dates have been provisionally put into the Facilities booking system and stall holders are aware that these will be confirmed once the Council has had an opportunity to review the market.

In addition to the above, the Market is on the D-Day Programme as a 1940's market for their usual opening days.

Officer Time

An Officer from the Town Council visits the stall holders on their first trading day to collect the fees. This is a time-consuming exercise with the majority of the stall holders asking questions or complaining.

At the end of the third week of the Town Council running the market, stall holders complained that the Town Clerk was not visiting them often enough.

The Town Clerk visited the stall holders on 12th February and stall holders complained about the following, which are the same issues they discuss with the Officer.

Public Liability Insurance (PLI)

They believe the Town Council should not request PLI immediately and leeway should be given to new stall holders of say, 2 weeks.

Market Management

They say that the Town Council do not know how to run a market and do not agree with the stall holder pack. They believe stall holders will shred the pack after signing and not adhere to the terms.

Café

They are concerned that visitors are leaving as soon as they see that there isn't a café without looking around at the stalls.

Viability

The weekly income from the market is £289 per week which equates to £14,161 per annum based on 49 weeks trading which assumes a reasonable income for the Town Council. However, in reality this only relates to 7 traders utilising 19 tables.

Despite attempts to advertise the market through press releases and social media, the footfall remains low.

For comparison purposes, the Town Council has run a Christmas Market in the Scala Hall which had the capacity for 40 tables. However, the layout was different and it did not include a café because this was located in the Function Room.

Three questions were put on Facebook:

- 1) Have you ever visited the Pannier Market?
- 2) Did you like what was on offer?
- 3) What would attract you to the Pannier Market?

The results of which were:

- Yes there are some interesting retail options there but needs better advertising - etc as to what's on offer
- Yes to first questions. I would be attracted to sale of Food, Crafts and 'GOOD ENTERTAINMENT'. Please push forward with this but ensure you advertise it properly and not just in Brixham. This is an ideal chance to attract people from outside Brixham.
- Yes quite often. I have visited both to buy from stalls and to meet people in the cafe. I like the fact it support local traders, it is friendly and utilitarian, prices are good as well.
- Yes go occasionally when in Brixham, love the different stalls and wonderful craft works sold there.
- Haven't been for ages but I thought that it needed more food sellers last time I visited
- Needs a Market Manager to run it on a professional level. Not a stallholder an actual Manager with experience on social media. There's a young lady bringing a new market to the Scala Hall for Brixfest. Hand it over to her.
- Would like to see home made jams and some chutney for sale
- No never visited as I thought you had to go up the external staircase where the sign is. I hate those kind of steps. Now that I know it is in fact on the ground floor, I will definitely pay it a visit.

- Been once, didn't go back as it had nothing I was interested in.
- Yes visit when I can. Often purchase small items. Enjoy a good coffee and cake too
- Yes have visited yes liked what on offer different sellers
- 1. Yes. 2. Yes but some thought could go in to layout and display. 3. Better signage also looking at what our high street does not already have then providing it. The market should be complimentary to our high street not competing.
- Just needs more advertising and a professional manager. More customers in = wide selection of goods offered and more stall holders interested in taking part.
- Yes, but needs new life, a professional manager to engage the town, a fab café healthy options, plus cakes, salad etc ... interesting stalls to draw more footfall in. Brixham is on the up and the market could attract a lot more people than it does.
- Go visit Tiverton Pannier Market let me know I will share contact details. They are what good looks like
- I tried to get a stall but was told that only one of each type of seller was allowed, and that there was already someone selling in my field, even though what I offer is different and truly made in Brixham. A bit more openness on this policy and which stallholders are allowed would be welcome
- Yes, local fruit and veg please. And of course, seafood!
- Needs a better more welcoming entrance, one that is open and light so people can see what's inside, the whole entranceway needs redesigning. I appreciate that a slope is needed for access for those with wheels but it feels like a convoluted way in. More signs in town reminding people it's there as it's location is easily missed. Signage to let people know what is for sale inside. Some nice planters with lots of colour would make that area more attractive as it feels a bit like the back of a building instead of the entrance to a local market. It would be nice if it could be open on Saturdays too. Local produce, fruit n veg, flowers and plants would be ace.
- Have been coming to Brixham for 40 yrs always head there... needs to be updated a, little more local food, crafts, you have some fab makers get them in there too...
- Entrance and signage very drab. More up market local produce and craft stalls, signage for it in town and an active social media presence. Wouldn't take a lot to make it a vibrant asset to the town just switched on professional management.
- More like a craft / farmers market. Also bread, pies, cakes stall. No stalls selling vape materials etc.

Other Pannier Markets

Tavistock Pannier Market

The market is open Tuesday to Saturday 9am to 4.30pm. There are some stalls that are fixed and some that are required to set up and dismantle on a daily basis. Although the 5 day traders around the perimeter of the Market Hall stay the same, many of the stalls in the centre change every day of the week reflecting the different daily themes. The themes are:

Monday	Closed (except for the run up to Christmas)
Tuesday	Antiques and Collectables
Wednesday	Crafts and Mixed Market
Thursday	Crafts and Mixed Market
Friday	Original Charter Market (fresh fruit, veg and local produce)
Saturday	Four weekly rota: Week One: Aladdin's Cave Collectables Week Two: Craft Market Week Three & Four: Mixed Market
Sunday	Closed

The Market is managed by Tavistock Town Council who employ a Market Reeve.

Barnstaple Pannier Market

Barnstaple Pannier Market is open Monday to Saturday each week. Although the market is open 6 days per week, the same traders do not operate every day ensuring a suitable change each day to encourage visitors to the market. Each day has a different theme, as follows:

Monday	General Goods, Crafts and Collectables
Tuesday	General Goods and Local Produce
Wednesday	Antiques, Collectables, Antiques and Book's
Thursday	General Goods and Local Craft's
Friday	General Goods and Local Produce
Saturday	General Goods and Local Produce

The market is managed by Barnstaple Town Centre Management.

Bideford Pannier Market

The covered Pannier Market Hall trades Tuesdays to Saturdays and is open 9am to 3pm January to March and 9am to 4pm April to December. The market offers locally and on site made gifts, pottery, wood carving, stained glass, toys, books, painting, jewellery, food outlets, opticians, Wellness Practice and Natural Living.

The market is managed by Bideford Town Council.

Dartmouth Market

Due to the nature of the market building, the market is open All year on a Friday, plus Tuesdays from Easter to December and Thursdays in the high season. In addition, there are fixed shops around the perimeter, and these are open Monday to Saturday.

The market is managed by Dartmouth Town Council who employ a Market Manager.

Tiverton Pannier Market

Open six days per week as follows:

Mon	09:00 - 14:00	Second-hand Goods
Tue	08:30 - 16:00	General Market
Weds	09:00 - 15:00	Mini Market
Thurs	09:00 - 15:00	Mini Market
Fri	08:30 - 16:00	General Market
Sat	08:30 - 16:00	General Market

Current Trends

It is identified that the market needs to change. The quality of stall holders in the market is not attracting sufficient visitors and locals. Having researched successful markets, they run different themes on different days. It is also believed that current trends will have an impact on how successful the market is.

Some identified trends are:

- Reducing the use of plastics
- Reusing products ie second hand shops or Upcycling (products that are reused in such a way as to create a product of higher quality or value than the original)
- Healthy eating including locally sourced products / organic products
- Wellbeing including mental health

A recent news item on BBC News highlighted a shopping mall with a difference in Sweden. The shopping mall only sells second-hand products. There are 14 specialist shops covering everything from clothes to DIY tools that are recycled. Old items are given a new life through repair and upcycling. Everything sold is recycled or reused or has been organically or sustainably produced.

Market Options

We have identified the following options for the future of the market:

Option One

An opportunity for the Town Council to offer a market that is sustainable, creative and works with both the visions of the plastics working group and the community health working group. In addition, a market that is complimentary to the existing traders in the Town.

A market that offers different daily themes, increased trading days and periodic themed markets to compliment the community events. For example:

Weekly:

Monday	Pannier Market
Tuesday	Pannier Market
Wednesday	Healthy Living
Thursday	Local Produce
Friday	Second hand and upcycled goods

Monthly:

Saturday	Antiques and collectables
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Suggested trading hours: 9.00am to 4.00pm.

As stated earlier in this report, a temporary stallholders pack was created in order to ensure stall holders understand the rules and regulations. The temporary pack can be found in Annex One. A new pack has been put together for consideration of the Council and this is shown in Annex Two.

This option will reduce the availability for community groups. However, it has been identified that bookings have been reduced over the last few years with the Scala Hall empty regularly Thursdays to Sundays.

Identified repeat hirers who will be affected by this option are listed below. Where bookings have been received, they would be honoured.

Who	Event	Number of bookings this year	Repeat Bookings	Day	Month
Stoney Park Allotment Association	Annual Potato Day	1	Yes	Thurs	Jan
Torbay Community Development Trust		1	No	Thurs	Feb
Doorstep Arts	Theatre Production	1	Annual	Thurs – Sat	Mar
BCP	Meetings	4	Periodically	Thurs / Fri	Various
Brixham Horticultural Society		2	Yes (twice yearly)	Thurs – Sat)	July & Oct
Brixham Arts Society	Art Exhibition	1	Annual	Sat-Sat	Aug

There is a possibility of relocating some of the above to alternative locations in the Town Hall and working with others to see if they are prepared to run their event on a Saturday, for example.

It is also recognised that the following community groups have been hiring the Scala Hall since before the Town Council took over ownership of the Town Hall:

Brixham Horticultural Society 2 x weekends per annum
 Brixham Arts Society 1 x week per annum

The Town Council already cancels the market for the Brixham Arts Society booking and therefore, they could be minded to cancel the market to ensure the bookings are honoured in the future.

It must be noted that the Scala Hall is a polling station and therefore a market cannot be held during on an election day without prior discussions with Torbay Council.

As you will see earlier in this report, there are different charging rates. It is believed that a more structured charging system should be put in place. Below is a comparison table of different charging rates.

Fee	Tables	Kitchen	Daily Income	Weekly Income (5 days)	Annual Income (49 weeks)	Saturday (12 per annum)	Possible Income	Comparison Purposes
£5.00	30	£30.00	£180.00	£900.00	£44,100.00	£2,160.00	£46,260.00	£23,130.00
£6.00	30	£30.00	£210.00	£1,050.00	£51,450.00	£2,520.00	£53,970.00	£26,985.00
£7.00	30	£30.00	£240.00	£1,200.00	£58,800.00	£2,880.00	£61,680.00	£30,840.00
£8.00	30	£30.00	£270.00	£1,350.00	£66,150.00	£3,240.00	£69,390.00	£34,695.00
£9.00	30	£30.00	£300.00	£1,500.00	£73,500.00	£3,600.00	£77,100.00	£38,550.00
£10.00	30	£30.00	£330.00	£1,650.00	£80,850.00	£3,960.00	£84,810.00	£42,405.00

It is possible that not all stalls will be used every market day, therefore the comparison column shows 50% of the income.

Please note: The potential income from the market exceeds the potential loss of income from the bookings noted above.

In addition, a themed market should be organised periodically throughout the year to reflect various events happening in the Town, for example:

- Pirate Festival
- BrixFest
- D-Day Celebrations
- Lanterns, Lights & 'luminations

These events could include live music from local individuals as well as stall holders wearing clothing to suit the theme to attract visitors.

This still ensures the Scala Hall is available to the community as follows:

- Weekday evenings
- Saturdays (excluding one per month & themed markets)
- Sundays (excluding themed markets)

Option Two

(The last resort option)

To close the market until after the Town Hall regeneration. However, this will have a cost implication to the Town Council income of a minimum of £14,000 per annum.

Successful Markets

All successful markets have a dedicated Market Manager. Managing successful markets is time consuming and, in this instance, will involve the ability to:

- Enroll stall holders in the market
- Collect fees owed and issue receipts
- Organise and control the positions of each stall
- Ensure all terms and conditions are adhered to
- Answer questions or deal with concerns raised by stall holders
- Resolve disputes that may arise
- Ensure market adheres to health and safety and risk assessments
- Set up / dismantle room for stall holders
- Control stall holder set up / dismantle and use of car park
- Advertising and promotion
- Liaise with community groups in order to run themed markets during their events
- Control the use of display boards
- Continue to develop the market
- Locking / unlocking the hall
- Engage with the community and businesses

It is hoped that with the increase in market stalls the large proportion can be offset against the Market Managers salary.

Recommendation

It is considered that with the right market theme and the right management, a market in the Scala Hall can be viable and sustainable as well as providing an attraction for the town.

It is recommended that the Town Hall Sub Committee recommends to Full Council that the Town Council continues to manage the market by:

- 1) Giving the market a new identity with a sustainable and vibrant theme based on option one of this report
- 2) Adopting the new stall holders pack
- 3) Agreeing a fee of £6 per table per day and £30 per day for the kitchen which should be reviewed after 12 months. This includes the entitlement for stall holders to have 4 free weeks in any one financial year for the purpose of holidays based on receiving a minimum of 14 days written.

However, this cannot be achieved without a dedicated Market Manager and therefore it is recommended that:

- 4) The Town Council employs a Market Manager
- 5) The Evaluation Committee consider and agree the salary and job description

In addition, the Town Hall Sub Committee should investigate the cost of installing the following in the Scala Hall. A separate report should be considered at the next meeting.

- 6) Wifi Bluetooth speakers so that music can easily be played
- 7) Sound proofing suitable to reduce the acoustics

Annex One - Temporary Stall holders pack



Brixham Pannier Market Application form for Stall holders 2019

Stall holder Information

Name	
Name of Market Stall / Business	
Full Address	
Telephone Number	
Email Address	
Business Description	
Goods for Sale	
Number of tables requested (subject to availability)	
Trading day(s) requested (subject to availability)	

Please provide copies of your insurance with £5 million cover, any food hygiene documents, PAT test certificates or proof of any other legal registration that your business may require.

I confirm that I have read the market stall holder regulations and agree to abide by them.

Name	
Signature	
Date	

Brixham Town Council, First Floor, Town Hall, New Road, Brixham TQ5 8TA
T: 01803 859678
E: info@brixhamtowncouncil.gov.uk



Brixham Town Council Market Rules and Regulations

Use of the facilities

Set up:	7.30am – 9.30am (on day of trading)
Market Opening:	9.30am – 3.00pm
Dismantling:	3.00pm – 4.00pm
Trading Days:	Monday, Tuesday and Wednesday each week, excluding one week in August and two weeks at Christmas / New Year.

1. The Scala Hall will only be available for the times specified above. Please ensure you allow adequate time for set up and vacation. Overrunning is not possible as the room may be booked by others.
2. Stallholders will be permitted to remain set up on a Monday and Tuesday evenings subject to the Scala Hall being available and the granting of such right is at the total discretion of Brixham Town Council.
3. Vehicle access will only be granted between the hours of 7.30am - 8.30am and 3.00pm - 4.00pm. All vehicles (unless authorised) must be removed from site by 8.30am.
4. All stall holders are to vacate the Scala Hall by 4.00pm at the latest on each trading day.

Charges

5. Stall holder: £10 per day for first table and £5 per table per day thereafter.
6. Café: £30 per day
7. Discounts for regular stall holders: 50%. This will only be for absence in the event of sickness or advanced warning of holiday. Advanced warning means a minimum of two weeks' notice.

Stall holders shall:

8. Make all efforts to comply with health and safety and any other regulations in place in the building
9. Not allow any disorderly, improper, dangerous or destructive conduct whilst on the site and shall comply with any reasonable request made by the Officers of Brixham Town Council
10. Use the room for the purpose of a Pannier Market only

11. Remain set up for the duration of the trading hours. No stall holder to dismantle until after the market has closed for the day.
12. Use the premises and all associated equipment entirely at their own risk. Brixham Town Council does not accept liability for damage to or loss of personal property of any kind.
13. Keeping their allotted areas clean and tidy during trading hours.
14. Leaving their allotted areas clean and tidy at the end of each day's trading, ensuring that all rubbish is put in the bins provided in the car park. Available bins include general waste, recycling and glass. Please ensure that, where possible, items are flattened in order to save space in the bins.
15. Ensuring unobstructed access to free passage between the stalls, emergency equipment and emergency exits at all times (particularly the walkways).
16. Paying rental charges to Brixham Town Council on demand. Receipts will be issued and must be retained for a reasonable time. In the event of there being a disagreement over the level of charges, the sum demanded must nonetheless be paid in full, pending settlement of the dispute. The matter must then be referred to the Clerk for arbitration, together with a claim for reimbursement
17. Provide evidence of Public Liability Cover, a copy will be kept in the office
18. Comply with Fair Trading Laws and any local code of practice issued in connection with such sales. In particular, stall holders shall ensure that the total prices of all goods and services are prominently displayed and that any discounts offered are based only on Manufacturers' Recommended Retail Prices.
19. Each stall holder must keep within the boundaries of the stall and no additional tables will be allowed. **If extra space is required an additional stall must be paid for (if available).**
20. **For extra space please ask Brixham Town Council first. Unless Brixham Town Council has been notified that a stall holder will be arriving late, stalls unoccupied will be re-allocated. Likewise, if a stall-holder fails to inform Brixham Town Council of their absence for three weeks consecutively, the stall may be re-let. If you do not intend to come to the Market, then a phone call to Brixham Town Council would be appreciated. A message can left at the Town Council office on 01803 859678.**
21. **When re-allocating pitches, priority will be given to those stall-holders who trade throughout the year.**

Brixham Town Council shall:

22. Be responsible for supervision of the premises, protection of the fabric and contents, safety from damage however slight, or change of any sort, and the behaviour of all persons using the premises, whatever their capacity, including proper supervision of car parking arrangements so as to avoid obstruction of the highway.

23. Be responsible for allocating stalls and for their positioning and for all matters relating to good order in the Market. Their instructions must be adhered to at all times.
24. Not be responsible for any loss or damage due to any breakdown of machinery, failure of the power supply, leakage of water or gas, fire, government restriction or Act of God which may cause the hall to be closed and the market interrupted or cancelled.
25. Promote the market to locals and visitors

Problems and Complaints

26. All problems and complaints (including damage to premises and equipment) must be reported immediately to Brixham Town Council, who will, in turn, report all but the most trivial matters to the Clerk. Stall holders are free to contact the Clerk by email, but this should not normally be necessary. Our foremost aim is to keep the Market a happy place for all who use it, and to resolve any difficulties that may arise quickly and amicably

Selling Alcohol at Events

27. The Town Hall Premises Licence does not cover the selling of alcohol.
28. Any event at which alcohol is to be supplied is subject to a **Temporary Event Notice (TEN)**. If you wish to supply alcohol at your event, please contact Torbay Council Licensing. A copy of the approval **MUST** be supplied to Brixham Town Council prior to the event.

Health and Safety

29. Stall holders are responsible for ensuring that all activities comply with the requirements of the Health and Safety at Work Act 1974. You have a duty to ensure the health and safety of yourself and others. You must also co-operate with the Town Council so that it can comply with its health and safety obligations. A risk assessment will be provided to each stallholder as part of their welcome information pack.

Food Hygiene

30. Persons supplying and handling food must satisfy current food safety legislation and have received appropriate training and instruction in food hygiene. Advice can be obtained from Torbay Council on 01803 208025.

Liability

31. Brixham Town Council will not be liable to the stall holder for any personal injury or loss or damage to property except on the occasion that, and to the extent to which it has been negligent.

32. Please note that by using these facilities stallholders are responsible for making arrangements to insure against any third party claims which may lie against their business whilst using the Town Hall. (The Council is insured against any claims arising out of *its own* negligence.)

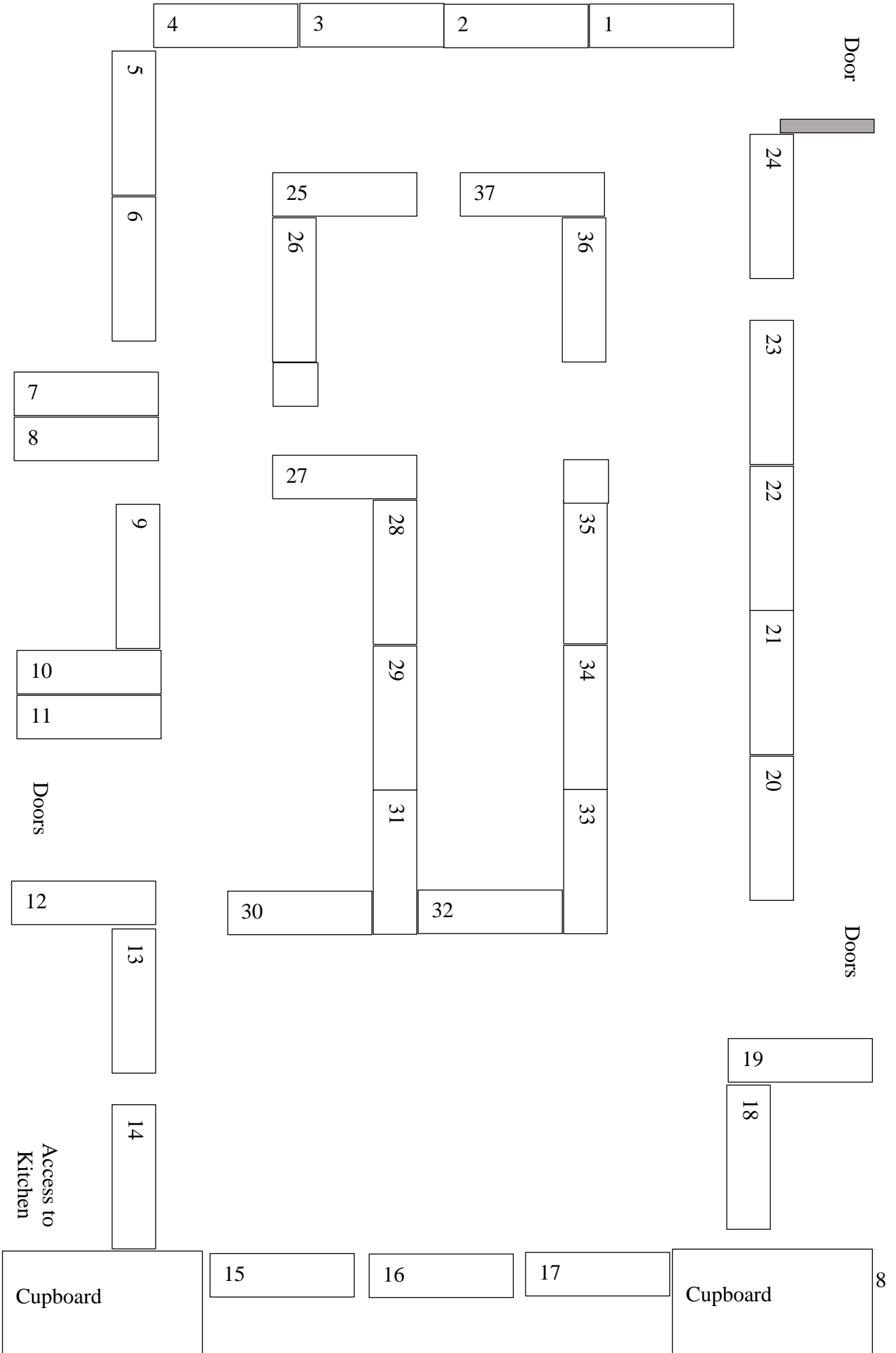
Specific restrictions on use:

Smoking:	Smoking (including E-Cigarettes) is not permitted anywhere within the curtilage of the building.
Prohibition:	no nails, tacs, screws, pins or other like objects shall be driven into or fixed to any part of the hall; nor shall placards, tape or other articles be fixed thereto that shall cause damage to the paintwork, plaster or any other part of the fabric of the building.
Dogs	Dogs on leads are permitted in the Scala Hall only. Adequate precautions where food is prepared, handled or stored must be provided any stallholder serving food. No dogs (except guide dogs) are permitted to enter any other part of the Town Hall.
Flyposters:	You are advised that 'fly-posting' is illegal and could lead to prosecution. This includes advertising notices attached to road signs, lamp-posts and other fixed or temporary places. Hanging of banners across any part of the exterior of the hall is prohibited except that, with the permission of the Town Clerk, a banner may be hung on the external fire escape staircase above the Scala Hall entrance doors. Please ensure that all posters to be displayed are handed in to the Town Council office.
Electrical Equipment	The hirer shall ensure that any electrical appliances brought by them into the Hall and used there shall be safe, in good working order, and used in a safe manner in accordance with the Electricity at Work Regulations 1989. Where a residual circuit breaker is provided, the hirer must make use of it in the interest of public safety. All equipment must carry a current PAT certificate.
Accidents	The hirer must report all accidents involving injury to the public to the Town Council as soon as possible, where you will be required to complete an accident form. A first aid box is located near the entrance to the kitchen.

Name	
Signature	
Date	

Review Date: 1st March 2019

Market Plan (not to scale)



Annex Two – Proposed Stallholders pack



Brixham Pannier Market Application form for Stall holders 2019

Stall holder Information

Name	
Name of Market Stall / Business	
Full Address	
Telephone Number	
Email Address	
Business Description	
Goods for Sale (please provide photos)	
Number of tables requested (subject to availability)	
Trading day(s) requested (subject to availability)	

Please provide copies of your insurance with £5 million cover, any food hygiene documents, PAT test certificates or proof of any other legal registration that your business may require.

I confirm that I have read the market stall holder rules and regulations and agree to abide by them.

Name	
Signature	
Date	

Brixham Town Council, First Floor, Town Hall, New Road, Brixham TQ5 8TA
T: 01803 859678
E: info@brixhamtowncouncil.gov.uk



Brixham Town Council Market Rules and Regulations

Use of the facilities

Set up: 7.30am – 9.00am (on day of trading)

Market Opening: 9.00am – 4.00pm

Trading Days:

Weekly:

Monday	Pannier Market
Tuesday	Pannier Market
Wednesday	Healthy Living
Thursday	Local Produce
Friday	Second hand and upcycled goods

Monthly:

Saturday	Antiques and collectables
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- 8) The Scala Hall will only be available for the times specified above. Please ensure you allow adequate time for set up and vacation. Overrunning is not possible as the hall may be booked by others.
- 9) All stall holders must occupy their stall up by 9.00am. After 9.30am the stall may be re-let for that day. If arriving after this time, a stall may be offered, subject to availability.
- 10) All stall holders are required to trade with stock in situ until 4.30pm.
- 11) Vehicle access will only be granted between the hours of 7.30am - 8.30am and 4.00pm - 5.00pm. All vehicles (unless authorised) must be removed from site by 8.30am.
- 12) All stall holders are to vacate the Scala Hall by 5.00pm at the latest on each trading day.
- 13) Market days may be varied or cancelled by virtue of Public Holidays or when deemed necessary, and shall not be held on Christmas Day, Boxing Day or New Year's Day

Charges

- 14) Stall holder: £6 per table per day.
- 15) Café: £30 per day which includes 3 tables for serving and 3 communal tables for customers.

16) Stall holders shall be entitled to four free weeks in any one financial year for the purpose of holidays. Written notice of at least fourteen days' prior to absence is required.

Stall holders shall:

17) Not assign a stall to other stall holders.

18) Not make any material change in the class of goods sold as indicated in the List of Traders, without first obtaining the written permission of the Duty Officer.

19) Make all efforts to comply with health and safety and any other regulations in place in the building

20) Not allow any disorderly, improper, dangerous or destructive conduct whilst on the site and shall comply with any reasonable request made by the Officers of Brixham Town Council

21) Keep their allotted areas clean and tidy during trading hours and leaving their allotted areas clean and tidy at the end of each day's trading, ensuring that all rubbish is put in the bins provided in the car park.

22) Place refuse generated from trading operations in the market in bins provided by the Council. No refuse is to be left at any time in the curtilage of the stall. All cardboard boxes must be flattened and placed in the recycling receptacle(s).

23) Not keep any live animal, including pets, at their stall.

24) Not use nails, tacs, screws, pins or other like objects shall be driven into or fixed to any part of the hall; nor shall placards, tape or other articles be fixed thereto that shall cause damage to the paintwork, plaster or any other part of the fabric of the building.

25) All facilities on the site belonging to the Council and provided for the use of the stall holders shall be used only for the purposes for which they are provided. The cost of repair occasioned by misuse or deliberate damage to the facilities by a stall holder will be recharged to that stall holder.

26) Ensure unobstructed access to free passage between the stalls, emergency equipment and emergency exits at all times (particularly the walkways).

27) Pay rental charges to Brixham Town Council on demand. Receipts will be issued and must be retained for a reasonable time. All charges for the use of stalls spaces shall be fixed by the Town Council only. All table space rates are unified, the Duty Officer has no authority to vary these.

28) Accept full responsibility for and indemnify the Council against all claims for personal injury, damage to property, nuisance and any other damage or expense by whomsoever the claim is made and from whatever cause arising out of or in connection with the use and occupation of the site allocated to him. Copies of Public Liability Insurance Certificates, and if requested by the Council, the relevant

insurance schedule, must be available for inspection by the Market Manager or other relevant Officer at all times. Upon annual renewal, a copy of the renewal certificate must be provided to the Council to keep on file

29) shall conduct themselves whilst operating as a stall holder responsibly and lawfully. They are expected to exhibit a high degree of personal integrity, ethics and professionalism at all times when trading in and around the Market. Whilst doing so they are expected to abide by these Regulations.

Brixham Town Council shall:

30) As far as is practicable, ensure that regular stall holders are allocated the same stall on each market day.

31) Be responsible for supervision of the premises, protection of the fabric and contents, safety from damage however slight, or change of any sort, and the behaviour of all persons using the premises, whatever their capacity, including proper supervision of car parking arrangements so as to avoid obstruction of the highway.

32) Be responsible for allocating stalls and for their positioning and for all matters relating to good order in the Market. Their instructions must be adhered to at all times.

33) Actively promote the market to visitors and stall holders

34) reserve the right to terminate any licence to trade on reasonable grounds by giving a minimum of 14 days' notice in writing to the trader.

Problems and Complaints

35) All problems and complaints (including damage to premises and equipment) must be reported immediately to the Duty Officer, who will, in turn, report all but the most trivial matters to the Clerk. Stall holders are free to contact the Clerk by email, but this should not normally be necessary. Our foremost aim is to keep the Market a happy place for all who use it, and to resolve any difficulties that may arise quickly and amicably

Food Hygiene

36) Persons supplying and handling food must satisfy current food safety legislation and have received appropriate training and instruction in food hygiene. Advice can be obtained from Torbay Council on 01803 208025.

37) Stall holders conducting a food business as defined in any current food hygiene regulations Laws and any subsequent legislation shall comply with such legislation. Any breach or breaches will make that stall holder liable for disqualification from trading within the Market. No such stall holder shall be permitted to be accompanied by a dog or other live animal.

Kitchen

- 38)The kitchen is suitable for light refreshments only. Any café stall holder will have to provide a sample menu with their application.
- 39)No permission will be granted for use of any cooking equipment other than four small appliances and two hot water urns. This is subject to each appliance being plugged into separate sockets.
- 40)No frying (shallow or deep) is permitted.
- 41)Facilities provided by the Town Council include one hot water urn, one kettle, one fridge and one microwave.
- 42)No permission will be granted for display equipment to be permanently stored in the hall.

Restrictions

- 43)Any trader not attending for three consecutive weeks without providing notification and receiving approval from the Market Reeve or the Duty Officer for such absence shall be deemed to have terminated their right to trade.
- 44)Free use of any stall space not hired on any Market day (spreading) shall be at the discretion of the Duty Officer.
- 45)Regular stall holders are obliged to give a minimum of fourteen days' notice in writing to terminate their occupancy of a stall.
- 46)Smoking (including E-Cigarettes) is not permitted anywhere within the curtilage of the building.
- 47)No naked flame may be used for heating, lighting, cooking or for any other purposes within the Hall.
- 48)These Regulations may be amended by the Council from time to time and will be communicated to all parties when changes occur.

Market Plan (not to scale)

