# Bishop’s Stortford Town Council CHRISTMAS FAYRE – SATURDAY 3rd DECEMBER 2022

# Application Form and LICENCE - GENERAL PITCH

**Your application will not be processed unless the application form is completed, all the requested documentation is included and full payment is received. Please email your completed form and supplementary documentation to:** **events@bishopsstortfordtc.gov.uk**

If you have any queries on completing this application form please email **events@bishopsstortfordtc.gov.uk**Applications close by midnight on **1 November 2022**.

# Personal and Business information

|  |  |
| --- | --- |
| Business Name |  |
| Contact Name  |  |
| Business Address  |  |
| Telephone Number |  |
| Email |  |

 For identification purposes I have enclosed a copy of my driving licence or passport (please tick)

# Commodity

|  |  |
| --- | --- |
| Description of goods/services for sale |  |

# STALL DETAILS and payment (please note WE do not supply stalls for hire)

|  |
| --- |
| 1 pitch measures 3m x 3m at a cost of £65.(Applications **and full payment** must be received before midnight on 1 November 2022 |
| **Number of pitches required**  |  **@ £65.00 each** |  **Total** |
| What type of stall will you be bringing? | Gazebo  | Steel framed | TrailerPlease indicate size (including tow bar):Which side does the trailer hatch open - driver side or passenger side?  | Other |
| Please note that electricity is limited. Priority for electricity will be given to hot food vendors. Should there be surplus electricity for lighting/tills, please express your interest by ticking the box: [ ] .There would be an additional charge of £3.00 for lighting/tills and the licensee is required to hold a valid PAT certificate.  |

Payments can be made by bank transfer - Bank details: Account Name: Bishops Stortford Town Council Account Number: 00105598 Sort Code: 30 90 84. Please reference Christmas Fayre with your payments.

# Licences and Certificates

Please indicate what licences and certificates your business has and **enclose copies**

|  |  |  |
| --- | --- | --- |
| **Licences/Certificates** | **Tick as appropriate** | **Expiry date** |
| Public Liability Insurance (minimum £5 million) |  |  |
| PAT (if you are interested in the use of electric) |  |  |
| Food hygiene training certificate (if you produce or make any food) |  |  |
| Current food hygiene rating (if you produce or make any food) Minimum food hygiene rating of 3 is required |  |  |
| Sales of Alcohol:I acknowledge that if my application to sell alcohol (off sales or on sales) is accepted, I will apply for a TEN (Temporary Event Notice) from East Herts Council. More details can be found in the Christmas Fayre terms and conditions below in the “Licences” section |  |

# How did you hear about bishop’s STORTFORD christmas fayre?

# DECLARATION

|  |  |
| --- | --- |
| I hereby declare that: | Please tick |
| I am applying for a licence to trade at Bishop’s Stortford Christmas Fayre and understand that a licence agreement (contract) will only be created once all valid in-date documentation (in line with the date of the market) has been received, full payment has been made and written acceptance (which may be by email) has been received from the Council, but not before |  |
| I agree to pay the fee for the number of pitches I have requested |  |
| I understand that no refund will be given should I not attend for any reason (even if prior notice is given), or if the appropriate requested documentation has not been received by the Council. Refunds will only be given if the Government Guidelines at the time of the event mean that the event has to be cancelled. |  |
| The information above is correct to the best of my knowledge and belief. I accept that I am responsible for ensuring that Bishop’s Stortford Town Council is made aware of changes to the above  |  |
| I have read and agree to abide by the Christmas Market rules and regulations which form part of this contract  |  |
| I understand that I may not trade until permission has been issued |  |
| I agree to only sell goods which have been specified in this application form |  |
| I confirm that I have a right to work in the UK and that Bishop’s Stortford Town Council may make such reasonable enquiries as it sees fit to confirm my right to work status |  |
| I consent to Bishop’s Stortford Town Council using my business name, details of the traded goods, business website or social media content when advertising the Market |  |

Please note: The General Data Protection regulations, which came into force in May 2018, have strengthened the protection given to individuals’ personal data under the Data Protection Act 1998.  Bishop’s Stortford Town Council will only use your data for the purposes of processing your application. Your information will not be sold or shared commercially. Your information may also be shared with other agencies or authorities for the purposes of the prevention and detection of fraud, where an appropriate request has been made under the Data Protection Act.

Currently the Town Council may hold your e-mail address, street address and telephone number and other information you may have supplied in connection with your application.  Your details may be held for up to eight years but we reserve the right to destroy them earlier should we consider this appropriate or immediately upon specific request.  We do not process data outside the EU, but please note that this data may reside or pass outside the EU in the course of transmission (e.g. via email). You can find out more about how we use your data from our “Privacy Policy” which is available from our website or from the Town Council Office.

|  |  |
| --- | --- |
| Licensee signature: | Date:  |

Christmas Fayre 2022 RULES AND REGULATIONS

The Christmas Fayre potentially has space for up to 120 stalls. Applications will be processed on a first come, first served basis and dependent on representation of the applicants main product line at the market. It is important that the market has a variety of different commodities,

Nothing in the regulations below shall be construed as placing an obligation on the Council to provide Bishop’s Stortford’s Christmas Fayre on 3 December 2022, but it is agreed that the council will endeavour to provide the market except where prevented from doing so by circumstances beyond its control such as adverse weather making the holding of the market unsafe

for the licensees or the public. In order to meet this obligation the Council may, at its absolute discretion, restrict, re-site or alter the layout of the market. The rules and regulations will be enforced by the Market Manager or another representative of Bishop's Stortford Town Council (“the Council”).

# LICENCES AND COMMODITIES

• All licensees must hold a valid and current Licence Agreement, issued from Bishop’s Stortford Town Council, before commencing trade and at all times while trading. This document (such as an entry ticket) will be issued electronically to the email address (as specified on the application form) shortly before the Market.

• The Licence is personal to the licensee and may not be transferred, resold or sub-let. Without a licence agreement, trading will be prohibited. The stall must be operated at all times by the licensee, a member of the licensee’s immediate family, or an individual employed directly by the licensee.

• Licensees must only sell goods which have been specified in their application unless otherwise agreed in writing by the Market Manager.

• The sale of tobacco, live animals, fireworks, offensive/ornamental/replica weapons, pornographic material, unsafe goods, illegal, chemical substances that may cause injury or death , or counterfeit goods is prohibited.

 • No licensee will be given the exclusive right to sell any item, type of item, or range of items and the Council may accept product lines that compete with existing licensees. The Council does, however, reserve the right to decline any application if it considers that any particular trade or line will be overrepresented at the market.

• All licensees selling alcohol (off sales or on sales) are required to apply for a TEN (Temporary Event Notice) from East Herts District Council for the date of the Christmas Fayre. Upon acceptance of a Christmas Fayre pitch application to sell alcohol, the Town Council will issue the licensee with a pitch reference in order to complete the TEN application form.

• All licensees wishing to carry out a street collection at the Christmas Fayre must comply with East Herts District Council’s Street Collection regulations and have a valid collection licence issued by East Herts District Council.

# PITCHES

• Market pitches will be allocated by the Market Manager as he/she considers best for the market. Licensees are not permitted to set up without prior consent. If works are taking place in an allocated pitch or the allocated pitch is for some other reason not available, no refund will be due where there is an alternative pitch available anywhere at the market.

• Licensees are responsible for providing, erecting and dismantling their own stalls.

• Unless otherwise agreed, a pitch will be 3m x 3m. Licensees may trade on multiple adjacent pitches if the licence so permits. There may be pitches allocated that are smaller or larger than specified above.

• Stallholders must trade from within the boundary of the pitch

• Pitches must be sited so that a passage way for pedestrians not less than 1.6m is preserved

• Licensees do not acquire any enduring right to retain a specific pitch.

• The use of amplified sound is prohibited with the exception of low-level background audible from the pitch and immediately adjacent pitches only. Licensees using amplified music and/or copyright material must be in possession of the appropriate permissions and must inform the Market Manager.

# TRADING HOURS, LOADING AND UNLOADING

• Trading hours: 9am – 4.30pm.

• Vehicles will be allowed in the market area whilst unloading and loading. This should be done as quickly as possible. Licensees are only permitted to bring one vehicle per company or organisation to the market area. Vehicles must not be left unattended at any time whilst unloading and loading and must be positioned so as to cause minimum disruption to others.

• Licensees will be advised in advance of the entry times associated with the Market unless specified in writing by a member of the Council. Should the licensee not arrive at the specified time, they may be refused entry and no refunds will be given. All licensees must be set up and ready to trade by 9.00am on the day of the market unless express permission has been given by the Market Manager. Pitches not occupied by 8.45am may be allocated, by the Council or its nominated representative at that time, to another licensee in attendance and no refunds will be given. The decision of the Market Manager on such matters will be final. Unloading vehicles must be removed by 8.30am. Loading vehicles must be removed by 6.00pm or otherwise at the Market Manager’s discretion.

• The Market Manager or another representative from the Council may, at their sole discretion and subject to availability of pitches and time to consider the request, hear requests from licensees who wish to relocate to alternative pitches. However, there will be no obligation on the Council to consider such requests or to relocate a licensee. No refunds will be given should the Council decline to consider the request or if the licensee relocates.

• No licensee may begin to clear their stall during the stated trading hours unless permission is given in writing by the Market Manager.

# PRESENTATION

It is the intention of Bishop’s Stortford Town Council to ensure that the market is well presented and adequately stocked to be attractive to potential customers and licensees. A high standard is required of all licensees’ presentations and merchandising and in pursuit of this the Council have set quality standards for all licensees to abide by. These should be regarded as a minimum. Guidance on how to achieve this level will be given by the Market Manager. Should individual licensees fail to conform to the quality standards their license may be terminated.

The Minimum Quality standards-

• Unless otherwise agreed with the Market Manager, Traders may only trade from gazebos or metal framed stalls

• During trading hours, stalls and pitches must be presentable and in keeping with the market

• Stalls, fixtures and fittings (display stands, tables, etc) must be of a good quality and professional appearance, and meet Health and Safety requirements.

 • Gazebos must cover all of the fixtures and fittings and should be clean and in good repair. Unless used for extensive display, prices or other information, licensees are strongly encouraged to have clear side sheets or sheets that have a clear window to present a view of the goods on sale from all directions.

• Metal-framed stalls: Tarpaulins must be clean and attached to the stall in a neat and symmetrical manner at all times (other than when adverse conditions make it unsafe to do so). Preferably these should be of one colour/design. Licensees are strongly encouraged to have clear side sheets or sheets that have a clear window.

• Metal clips and weights (where used) must be put on the inside of the stall as this looks neater (and also helps avoid any potential Health and Safety issues).

• Fixtures and fittings must be clean and in good repair.

• Licensees are strongly encouraged to have a skirt around the bottom of the stall to hide any unsightly fixtures and fittings or stock such as cardboard or plastic boxes. Skirts and all other covers used on the stall should be clean and in good repair.

• Trailers and other vehicles that are used to sell goods from must be of clean and tidy appearance, and conform to the above minimum standards (where appropriate).

Licensees are strongly encouraged to:

• Keep their stall adequately stocked with goods attractively displayed

• Clearly price all products and display a returns policy, details of methods of credit/debit cards accepted etc and public liability insurance to increase shoppers’ confidence

# PARKING

• Unless otherwise agreed in writing by the Market Manager, no vehicle belonging to a licensee or their staff may be parked in the market area.

• The Council will not, in any circumstance, be responsible for any penalty charges or fines incurred by any licensee.

• Licensees will be notified prior to the market where to park their vehicles.

# LITTER AND WASTE

• Throughout the day licensees must ensure the area surrounding their stall is cleaned and clear of all refuse

• Licensees must ensure that all pitches and immediately surrounding areas are cleared of all refuse generated by their business at the close of business each day.

• Licensees must remove trade waste from their stall

• The Council will not provide refuse disposal facilities on the day of the market; all waste must be disposed of in the appropriate manner at another location

• Waste must not be left within the areas of the Christmas Fayre

• Licensees must not under any circumstance put their trade waste in public litter bins.

• Licensees providing containers for food or drink consumption must also provide disposal facilities unless permission has been given in writing from the Market Manager.

• If a licensee does not dispose of and/or remove trade waste from the area of the market the Council may remove the waste and charge the licensee the reasonable cost of removal and disposal.

# BEHAVIOUR

• Licensees are expected to present a positive image at the market and to treat customers, fellow licensees and others with courtesy at all times.

• Licensees are required to conduct themselves in a manner that does not bring any adverse publicity to the market, fellow licensees or Bishop’s Stortford Town Council.

 • A licensee shall not, to the annoyance of any other person, 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.

• A licensee shall not permit any dogs, cats or other animals (whether domestic or otherwise) to come onto any stall on any part of the market except where the animal is an assistance dog for a person requiring such assistance.

 • The following must be observed by licensees and any other person operating a stall at all times:

♣ No swearing or arguing

♣ No fighting

♣ No drugs (promotion or consumption)

♣ No children (unless approved by the Market Manager)

• Responsibility for adherence to the rules and for the behaviour of any person employed or manning a stall still remains with the person to whom the licence was allocated. Failure to behave in accordance with these rules may lead to permanent termination of a licence.

# ELECTRICITY

Please note, hot food vendors will be given priority to use electric.

Other licensees may be given electric subject to availability. Should your expression of interest in electric be accepted, the following rules apply:

• Licensees may only use electrical equipment that is in good condition, weatherproof and suitable for outside use. All electrical equipment (other than low voltage, battery operated equipment) must have a valid up to date PAT test certificate which must be available for the Market Manager to view upon request. Other evidence proving that equipment has been appropriately tested will also be considered.

• Licensees must ensure that trailing cables do not present trip hazards or any other hazard and are suitably protected and at a safe height.

• Licensees must not make any alterations or additions to the electrical wiring and fittings of the electrical bollards.

• Licensees must contact the Market Manager immediately if there is a problem with an electrical bollard.

• Licensees must not attempt to re-activate a bollard if the circuit breaker has cut the electrical supply.

• Unless permission to use electricity for cooking has been given in writing and the appropriate fee paid, licensees are only permitted to use the electricity supply for appropriate lighting, refrigeration, scales and tills.

Please note:

1. Each electricity bollard will be numbered and your bollard number will be stated in your Christmas Fayre entry ticket.
2. Your business name will be displayed on both the bollard and commando socket inside the bollard.
3. Each licensee will be allocated just one commando socket regardless of the number of pitches purchased.
4. You will only be allocated the amount of electric you have requested on your application form (e.g. lighting/tills).  No more will be available.
5. Your pitch may be located up to 20 metres away from the bollard so please ensure you bring adequate length cables/extension leads.
6. Electrical distribution within your pitch is the responsibility of the licensee. You will need to provide a converter to be able to use a domestic plug.
7. The socket in the bollard is a 16amp commando socket (female). You will need to provide a 16amp male commando plug.
8. We do not provide any equipment so please bring with you everything you may need.

# GENERATORS

• Generators must be located within the licensee’s allocated pitch so as not to be accessible to members of the public or other unauthorised persons. All cables must be routed away from pedestrian traffic routes in order to avoid tripping hazards and must be protected from mechanical damage.

• No re-fuelling or storage of fuel is allowed on site.

 • Where the Market Manager considers that a generator is too noisy, he/she will require that the generator be switched off immediately.

# TRADING REGULATIONS

• It is the responsibility for all licensees to acquaint themselves with the trading regulation regarding their own specialist area and abide by them. The licensee must ensure that all staff are properly trained to meet the necessary standards and regulations. Certificates of proof must be available to the Market Manager on request.

 • Stallholders must ensure that they comply with all relevant legislation with regard to employment of minors.

#  GENERAL

• Auctions (real or mock) are not permitted.

• Bishop’s Stortford Town Council reserves the right to exclude a stallholder who has breached the rules or falsified application information or whose actions are not in the best interests of the market.

 • The Market Manager can seek the immediate removal of a licensee, his employees, attendants or any other person associated with the licensee who, in the Market Manager’s opinion, is causing a nuisance, annoyance or danger to other licensees, Bishop's Stortford Town Council representatives or the public or who damages any property of the Council.

# PROCEDURE FOR DEALING WITH COMPLAINTS

• Complaints by licensees in respect of any matters affecting the market must be brought to the attention of the Market Manager promptly. He/she will carry out investigation, relevant action and notification to the complainant of the result. Licensees must comply with any request from the Market Manager to provide written notification of a complaint.

• If a complainant is not satisfied with the action taken by the Market Manager on any complaint then the matter may be referred in writing to the Chief Executive Officer of Bishop's Stortford Town Council in accordance with the Town Council complaints procedure. This procedure is available upon request or is available on Bishop’s Stortford Town Council’s website

# HEALTH AND SAFETY REQUIREMENTS

Bishop’s Stortford Town Council is committed to delivering, improving and developing a safe market for licensees and customers. In order to ensure this, Bishop’s Stortford Town Council requires licensees to comply with the following requirements:

• Licensees are responsible for ensuring that their stall is properly constructed and assembled and that no modifications are made which constitute a safety hazard.

• Licensees must co-operate with the Market Manager with regard to risk assessments of the market both as a whole and of individual stalls.

• Licensees must immediately comply with any reasonable instruction given by the Market Manager or other Council employee in the interests of Health and Safety

• Licensees are required to ensure that their stalls are positioned so as not to obstruct the highway in a way which impedes pedestrian or vehicular movement around the market, presents a safety hazard or which may be detrimental to the efficient operation of the market.
• Licensees stalls must be weighted correctly in relation to the particular weather conditions (this could vary though out the market day).

• Licensees are required to ensure all other health and safety provisions are met in accordance with their particular stall and business in relation to weather condition.

• The decision of the Market Manager is final on the interpretation of this section.

**CORONAVIRUS**

Licensees are responsible for ensuring their business is operating in line with the most current Coronavirus guidance and regulations issued by the government, local authority, and specialist bodies. Licensees are also responsible for ensuring that they are aware of guidance and regulations that are specific to their sector or business, and implement any measures required.

# LIABILITY AND INSURANCE

• Proof of public liability cover (minimum five million pounds) must be provided in all cases by the licensee. Licensees not displaying evidence of public liability insurance or providing evidence of their insurance as required may not be permitted to trade until this has been rectified. No rebate of the stall fee will be given in these circumstances.

• Licensees must notify the Market Manager of any changes in insurance and provide copies on request and on renewal.

• A Licensee shall indemnify the Council from and against all actions, proceedings, damage, claims, losses or outgoings of whatever nature arising out of the licensee’s use of any stall, pitch, vehicle or stand etc. on the market.

• A licensee shall have no claim for compensation for any loss whatsoever (other than amount equal to the pitch fee paid) on the termination or suspension or where a pitch is not available or made available to the licensee for whatever reason, nor for loss or damage to stock, to stalls or to any other items brought onto the market by the licensee.

• The Council will not be responsible for personal injury or death unless the personal injury or death has been caused by the negligence of the Council, its officers or agents.

# EQUAL OPPORTUNITIES POLICY

Bishop’s Stortford Town Council is committed to equal opportunities where it applies to both the running of, and the trading on, the market. This means that no one will be treated less favourably or suffer any detriment on the grounds of sex, race, ethnic origin, marital status, sexual orientation, age or disability. Bishop’s Stortford Town Council is also committed to anti-discriminatory practices with regard to the service received by our customers, clients or contractors on the same grounds as above. This means that:

• No licensee may abuse or refuse service to any customer on the grounds of sex, race, ethnic origin, marital status, sexual orientation, age or disability.