



## LIMERICK MARKET TRUSTEES MILK MARKET LIMERICK

# MANAGEMENT RULES AND REGULATIONS

These rules and regulations should be read in conjunction with the Licence. They have been devised to be in the best interests of all traders, the public and the Limerick Market Trustees (LMT) and will be enforced as such. Attendance on the market is deemed to be acceptance of these regulations. In the event of any conflict of interpretation, any granted licence shall take precedence. In the event of any dispute concerning application of these regulations, the decision of the LMT representative is final. In this document the terms “trader” and “stallholder” are interchangeable. These regulations may be revoked, amended or supplemented in such manner and to such extent as the LMT may in their absolute discretion from time to time direct.

### **1 COMPLIANCE WITH THE REGULATIONS**

- (1.1) Stallholders on the market are required to comply with and ensure compliance by any and all employees or other persons acting upon their behalf with the provisions of their licence, these management regulations, any and all Acts of the Oireachtas, statutory regulations, byelaws or rules and regulations made by the LMT and any other competent authority including but not restricted to those set out hereinafter.
- (1.2) Traders shall ensure their activities do not cause a danger, annoyance, obstruction or nuisance to any other person(s) whether using the market courtyard or not.

### **2 TRADING DAYS**

- (2.1) The normal trading days are on Friday, Saturday & Sunday, and on Bank Holiday Mondays.
- (2.2) The market will be closed on New Years day, Christmas Day and St. Stephens day.
- (2.3) The market may also trade on consecutive days immediately prior to Christmas eve and on any other day(s) as decided by the LMT.

### **3 HOURS OF TRADING**

- (3.1) Usual trading hours are 11:00 – 19:00 on Friday, 08:00 – 16:00 hours on Saturday, 11:00 – 16:00 on Sunday and 11:00 – 16:00 hours on Bank Holiday Monday and any other hours or days as decided by the LMT.
- (3.2) All licensed stalls shall be occupied at least 30 minutes prior to the start time of the market. The LMT reserve the right to allocate any unoccupied stalls to other licensed or casual traders for that day only should a stall not be occupied by this time. The licensed trader will remain liable for payment of the license fee for that day notwithstanding and shall provide prior notification of any planned non-attendance.
- (3.3) In the event of temporary absence of the trader, a responsible adult person shall be left in attendance at the stall.
- (3.4) Stalls shall be stocked and attended at all times during the advertised trading hours.

#### **4 ACCESS FOR TRADER VEHICLES**

- (4.1) Each trader will be allocated a time to access the market courtyard. Access for deliveries and collections is restricted to the authorised entrance(s) (usually entering via the Watergate Gate and exiting via the Cornmarket Gate) and vehicles must be removed from the trading area immediately after unloading and at least 30 minutes prior to start of market trading and shall not return before the end of trading. Bollards will prevent access to the market during trading hours. Vehicles may only be brought onto the roadway of the market courtyard outside these hours with the specific consent of the LMT representative. All vehicles shall be roadworthy, insured and in possession of a valid NCT certificate (where applicable), insurance and tax discs. No vehicles shall be left parked within the market during trading hours or overnight except with the LMT express permission.
- (4.2) Whilst delivering stock to the stalls, all vehicles must be parked so as to avoid obstructing other vehicles and stallholders. Vehicles shall not be left unattended.
- (4.3) Any fuel or other spillage must be removed immediately and reported to the LMT representative. The filling or emptying of fuel tanks whilst on the market is expressly prohibited.
- (4.4) Moving vehicles shall not exceed 10 kilometers per hour whilst on the market.
- (4.5) Any manoeuvring or reversing shall be supervised by a responsible second person.
- (4.6) All parking on public or private access roads, passageways or property of the market is prohibited. The LMT do not guarantee the continuing availability of any vehicle park if one is made available on a Saturday, and in any event only one vehicle per stallholder will be permitted to use such a facility. Parking will not be provided on any other trading days. Details of vehicle parking arrangements are available from the LMT representative. The LMT also reserves the right to levy a fee for providing such a facility.
- (4.7) Stallholders shall comply with the conditions of any traffic regulation orders affecting the market place.

#### **5 DEFINITION OF LICENSED AND CASUAL TRADERS**

- (5.1) Licensed traders are granted a licence to occupy a specific stall on specified days of the month in return for a recurrent quarterly fee payable in advance.
- (5.2) Traders without a quarterly licence are deemed to be casual traders and may at the absolute discretion of the LMT be allocated a stall on a daily basis in return for a daily fee paid on that day. Casual traders do not have the right to the guaranteed allocation of a stall or occupation of any specific stall. Casual allocations will be made after due consideration and on the basis of permitted use. When allocating casual stalls the LMT representative will have regard to casual traders' past attendance record at the market.
- (5.3) A licensed trader occupying a stall on a day for which he is not licensed will be deemed to be a casual trader for that day and liable to pay the daily casual fee in force.
- (5.4) Licenses are issued in conjunction with these Rules & Regulations and as amended.

#### **6 PITCH ALLOCATIONS AND SERVICES**

- (6.1) Traders shall use only the stall(s) licensed or allocated to them or which the LMT shall permit them to erect. They shall restrict their displays and standing area within the designated area of the stall pitch and measured from the front edge of the counter for the full width of the stall(s) including the roof cover of the stall(s). Any goods which are hung from the stall must present no risk of injury to the public.
- (6.2) If the stall is supplied-only (or supplied and erected) by the LMT, the trader shall not adapt or alter any fixture or fitting forming part of the stall and shall not remove any part(s) of the stall or attach any extensions to the stall except with the express permission of the LMT representative.
- (6.3) If the stall is supplied and erected by the trader then it must be of substantial construction and aesthetic appearance, and be fit and proper for purpose. The stall must be erected within the designated stall/pitch area. The LMT reserves the absolute right to determine if this is the case and to restrict its dimensions if they disadvantage other traders or members of the public.

- (6.4) Any electrical lighting or power provision supplied by the LMT for the use of the traders shall not be adapted or overloaded and all live electrical equipment used by a trader shall be restricted to 220-240 volts only, earth-bonded and RCD-protected in accordance with current electrical regulations requirements. Generators are not permitted unless and except with the LMT representatives' prior approval.

## **7 CHARITY STALL(S)**

- (7.1) The LMT reserve the right to allow local registered charities the use of stall(s) on a casual basis at the rate set by the LMT and subject to the management regulations and availability.
- (7.2) Requests for a charity stall should be made with a minimum 14 days notice in writing but the LMT reserve the right to cancel/terminate such bookings without notice.

## **8 TRADERS NAMEPLATE**

All traders in foodstuffs shall display their name, address and contact telephone number in a prominent position on the stall. All other traders shall display a prominent sign showing no less than their name and address and should also include a price list as appropriate. The Traders nameplate and design must, if requested, be approved by the LMT representative.

## **9 REFUSE AND CLEANSING**

- (9.1) Traders shall keep their stall(s) and the surrounding area free of trade refuse and litter during trading hours and remove same to the designated refuse collection points. Traders stall(s) shall be left clean and clear of refuse at the close of trading. No waste or refuse shall be brought onto the market except for that generated during the normal business of that days trade. Stalls shall be kept clean, tidy and well-stocked at all times.
- (9.2) Traders will use the designated wash down area at the rear of the pavilion building. Traders shall not discharge any noxious or foul liquid waste onto the market surface except for washings discharged directly to the designated market drain/gulley. At close of trading any gulley into which washings have been discharged shall be rinsed with clean water and the surrounding area left clean and wholesome.

## **10 TOLLS AND ATTENDANCE**

- (10.1) Licensed traders fees are payable in advance on the first day of each month by cash or guaranteed cheque to the LMT representative, or by prior arrangement by post, direct debit or standing order. Arrears shall incur charges at the casual daily rate and if more than 14 days the LMT reserve the right to terminate the licence forthwith.
- (10.2) Casual Trading charges are payable on demand by cash or guaranteed cheque to the LMT representative prior to allocation on the day of trading.
- (10.3) If in the opinion of the LMT representative adverse weather conditions or similar circumstances prevent trading for the whole of the day then the market may be closed by the LMT representative.
- (10.4) Non-attendance by a licensed trader on a regular basis without good reason or prior agreement may result in termination of that licence. The licensed trader will however remain liable for payment of the license fee up to that point.

## **11 PALLETS, TROLLEYS AND ROLLCAGES**

Any pallets, trolleys, rollcages or pallet-lifters brought onto the market by a trader must either be removed from the market altogether prior to market trading commencement or stored within the trader's pitch during trading hours. They must not be used as an addition to a stall or for displaying goods or storing refuse.

## **12 PROHIBITED GOODS**

- (12.1) Traders shall not bring onto the market any inflammable liquids, gases, explosives, fireworks or any noxious or corrosive substance or article which may cause fire, explosion or injury. Traders may, with the consent of the LMT representative use LPG cooking equipment but all such equipment shall comply with all requirements as

- imposed. No other equipment incorporating a naked flame or unprotected heating element shall be used unless expressly permitted.
- (12.2) No goods shall be displayed or sold which at the absolute discretion of the LMT representative are offensive, dangerous, counterfeit or likely to cause offence to other traders or the public.

### **13 FRESH FOOD**

- (13.1) All stallholders must be registered with the Mid-West Health Service Executive (HSE) office prior to commencement of trading. The Environmental Health Officer will advise you about your specific requirements.
- (13.2) All edible goods sold on the market must be wrapped, priced and the weight displayed in accordance with current legislation. All edible goods including green grocery must be stored at least 30 cm (12 inches) above ground level. All fresh foods must be stored and displayed in accordance with the current EU food hygiene regulations, and depending on their type may require refrigeration.
- (13.3) Guidance may be obtained from the HSE and the Food Safety Authority of Ireland (FSAI). For additional information, see the comprehensive list of food safety legislation on the FSAI website [www.fsai.ie](http://www.fsai.ie).

### **14 ACCIDENTS**

Any accidents involving either traders or members of the public must be reported immediately to the LMT representative and entered into the accidents book.

### **15 TRADERS INSURANCE AND IDENTITY REQUIREMENTS**

- (15.1) All licensed and casual traders are required to hold and maintain current & valid insurance policies for third party public and products liability with a limit for claims of not less than €1.3 million each, and appropriate employers liability. By virtue of their licence and these regulations each trader shall extend a matching indemnity to the LMT and their agents, employees and authorised representatives in that regard and shall provide evidence of same to the LMT representative whenever requested.
- (15.2) If requested all traders must produce photographic evidence of identity and place of residence to the LMT representative. A photo driving licence and recent utility bill will generally suffice. This data will be kept secure and confidential between the parties.

### **16 COMPLAINTS PROCEDURE**

- (16.1) Any complaint concerning the management or operation of the market shall be made in the first instance to the LMT representative. If the trader does not believe a satisfactory resolution has been achieved then the complaint should be put in writing to the LMT management office.
- (16.2) Complaints made by the public against any trader will be notified to the trader and the trader given every opportunity to resolve same. Persistent complaints may result in the withdrawal of a licence to trade upon the market.

### **17 MISCELLANEOUS**

- (17.1) Traders shall only use the toilet facilities, if provided, for the purpose of personal hygiene and not for the storage or preparation of goods. They must be left clean and tidy after use.
- (17.2) No live animals including poultry shall be brought onto the market by a trader unless approved in advance by the LMT under the terms of the License.
- (17.3) No child shall be employed upon the market except in strict accordance with the relevant statutory legislation.
- (17.4) The pitching of goods and the use of the market for sale by auction, or other forms of outcry or canvassing is allowed at the LMT representative's discretion, providing that no amplification equipment of any kind is used except where permission by the LMT representative has been provided in advance.
- (17.5) Music, radios or other sound equipment may be played subject to the LMT representative's absolute discretion and at a volume agreed with the LMT representative and at a level not to cause nuisance to other traders or to members of the general public.

- (17.6) Traders shall not display or sell any goods other than those described on their licence, or in the case of a casual trader those described to and agreed by the LMT representative on the day of trading.
- (17.7) In the event of the LMT representative believing a trader has been in substantial breach of the terms of the management regulations and/or his licence agreement (if applicable) the LMT reserve the right to forthwith suspend the trader for a period not exceeding 28 days during which time representations will be invited.
- (17.8) Persistent breach of the management regulations, violence, abuse, threatening behaviour or foul language used to members of the public, management staff or other traders will result in the termination of a traders licence (if applicable) and / or permanent exclusion from the market.
- (17.9) By standing upon the market the trader agrees to comply with both the terms of these management regulations, his licence (if issued) and the Shoppers Charter, as issued from time to time.