Framlingham Town Council

All Members of Framlingham Town Council Amenities Committee are summoned to attend a meeting on at 30th October at 7pm

in the Town Council Offices, Church Street, Framlingham, IP13 9BH

AGENDA

1. **Apologies for Absence**

2. **Election of Amenities Committee Chair**

3. **Election of Amenities Committee Vice-Chair**

4. **Declaration of Interests**
   Councillors to declare any Interests and consider requests for dispensation. Notwithstanding this item, members may subsequently declare an interest at any point in the meeting.

5. **Open Forum**
   Members of the public may give their views on issues on this agenda, or raise issues for future consideration, at the discretion of the Chairman. They may speak for up to 3 mins and the session will last no longer than 15 minutes. Members of the public may not take part in the Council meeting itself.

6. **Markets**
   a) To consider the report regarding the regulations for the Markets.
   b) To consider the report prepared by the Office Assistant regarding the fees charged.

7. **Allotments**
   a) To note that the Clerk and Office Assistant are currently working on updating the Allotment Rules and Regulations which will be presented to the committee in due course.
   b) To note that the Field to Fork grant has been received and the Office Assistant will be meeting a representative of the Allotments to discuss how the funds are spent.

8. **Burials**
   a) To note an ashes Burial at the Memorial Rose Garden on 21st November.
   b) To consider postponing further burials in the Memorial Rose Garden until remedial work has taken place.

9. **Items for the next meeting**

10. **Date of next meeting**

P Moyse
Amenities/Markets Committee Clerk **23rd October 2025**

FRAMLINGHAM TOWN COUNCIL

MARKET REGULATIONS

This document contains the regulations made by FRAMLINGHAM TOWN COUNCIL (hereinafter called 'The Council') for the control of stalls placed on the Market Hill, Framlingham.

Markets are normally held on Tuesday and Saturday in each week with some additional markets from time to time. The Town Council promotes a policy of providing the best possible variety of stalls at any time and does not follow a "first come, first served" approval.

The right to place and use a stall on the market ('Stallage Rights') is granted by the Council subject to the observance of the following regulations by the person to whom that right is granted ('The Trader'):

In these regulations words importing the singular and the masculine gender respectively shall include the plural and feminine gender respectively where the context so permits.

1. The Town Council reserves the right to alter these regulations from time to time in which event notice of changes will be given to the Trader.

2. **The rate of Market rents from 1st April 2012 are:**

   Regular Traders:
   £1.10 per foot of frontage per day from April – September
   £0.90 per foot of frontage per day from October – March

   Casual Traders:
   £1.60 per foot of frontage from April – September
   £1.40 per foot of frontage from October – March

   Market rents will be determined by the Town Council and may be altered from time to time but Traders will be updated of any amendments.

3. ~~The Council upon the giving of three month's notice to the Trader may alter this from time to time.~~ The minimum frontage is 6 feet, to a maximum depth of 13 feet. The stall and its awnings shall be of dimensions and design to the satisfaction of the Council**.** A Trader must confine his goods and equipment to the site and frontage allocated; goods and equipment shall not project beyond the authorised trading site. In case of any dispute the Market Supervisor or Town Clerk will make a final decision.

4. Stallage Rights will be granted on a regular or casual basis and the Council retains absolute discretion as to the particular site allocated to the Trader on any market day (hereinafter called 'The Site').

Upon Market Pitch applications being approved by Council and a Licence being produced, New Traders will begin as Casuals until after a period of time upon which they have shown they will attend frequently. (this needs to be agreed as to which approach we want to take, whether to make all start as Casual or they pick either regular or casual, more information given in the potential market amendments document)

5. Market rents shall be paid to the Council:

   Regulars pay quarterly, in advance, strictly within ten days of invoice - this attracts a 10% discount. *Remove the early payment discount*

   Casual traders MUST pay on the day of trading to the Market Supervisor, Town Clerk or by BACS.

6. If the Trader fails to claim the site by 08:00am on any market day the Council or Market Supervisor shall have the right to allocate the site for that day to any other Market Licence holder.

7. Casual Traders must report to the Market Supervisor or Town Clerk before 8.00am where they will be allocated a pitch for the day.

8. Casual Traders must produce a Certificate of Public Liability Insurance Cover and Market Licence Certificate. Failure to do so will mean they will not be allocated a site on the Market for that day.

9. The Regular Trader shall be liable to pay Stallage for each market day whether he uses the site or not. Any days the Regular Trader fails to attend will not be refunded.

   Regular market traders must commit to attend the market for at least 10 out of 13 weeks of every quarter (leaving an allowance of 3 weeks to cover any illness per quarter). If a regular trader fails to attend 10 or more Tuesday market days or 10 or more Saturday market days, then the trader will revert to casual status for the following quarter for the related market day. During the following quarter if the trader has attended 10 or more Tuesday market days or 10 or more Saturday market days, then regular status will be resumed.

10. All Regular traders who have attended the market for at least 48 out of 52 weeks in the preceding year and their account is not in arrears, will be given a 4 week loyalty discount during each year. (A Regular Trader Discount) The year runs from 1st April to 31st March. This is not transferable from one year to the next.
    Either do not give a holiday discount or change to 'Attendance discount'

11. Any Regular Trader failing to attend three consecutive markets without prior notification of the reason to the Market Supervisor or Town Clerk, shall have his pitch allocation and licence reviewed.

12. The Trader is not permitted to sub-let or assign his stallage rights. If a Trader sells their business, the new owner is required to complete a market application and upon approval will begin as a casual trader? *This needs to be amended following a decision regarding

whether regular and casual traders are required to start as casual or can start as either* Although the business might be established on the market, the trader is not.

The pitch is not owned by the trader but by the Town Council.

13. If a trader is Regular and wants to change to Casual they are required to give one months-notice prior to the commencement of the next quarter

14. If a Regular Trader wishes to leave the market they are required to give one month's notice in writing to the Town Clerk. Reallocation of the pitch will be decided by the Lands & Markets Committee taking into account the make-up of the market at that time.

15. The Trader is responsible for the erection and dismantling of his stall and in doing so must have regard to the needs and safety of other persons on the market.

16. All unloading of goods from vehicles by the Trader, his employees and agents shall cease by 09:00am and such vehicles shall be removed from the market immediately thereafter.

17. No motor vehicles, other than a mobile unit used as a stall, or permitted vehicles displaying a permit issued by the Town Clerk, shall be parked on the market during Market trading hours, except in exceptional weather conditions, where the retention of a vehicle is necessary for the safety and protection of the stall and trader and only with agreement of the Market Supervisor or Town Clerk.

18. The stall shall not be removed from the market before 2.30pm on a Saturday and 1.30pm on a Tuesday unless otherwise agreed on that day by the Market Supervisor or Town Clerk. The market hours are 6.00am until 4.00pm on Saturdays and 6.00am until 4.00pm on Tuesdays.

19. The Trader shall keep the site occupied by him in a clean and tidy condition. No refuse or litter shall be deposited by the Trader, his employees or agents in the market and the Trader shall leave the site in a clean and tidy condition at the close of the market.

20. In order to comply with food premises regulations, all traders with food stalls must be able to provide proof of registration with the local authority where their vehicle/stall is normally kept, and have a minimum Food Hygiene Rating score of 3 and above.

21. The Trader shall display prominently on the stall at all times the trader's name and the Trader's Licence Certificate issued by the Town Clerk.

22. The Trader shall not join his stall to any other stall.

23. All pathways within the market reserved by the Council for the use of pedestrians must be kept free from obstruction. No goods, receptacles or advertising boards for goods shall be placed or allowed to project beyond the limits of the site or onto the designated pathways or highway.

24. The Trader shall not conduct Dutch Auctions or adopt similar methods of trading.

25. The Trader shall not offer for sale any goods, which by reason of size, smell, noise,

condition or any other cause are, in the opinion of the Council's official representative, objectionable. The Trader on his being so requested by the Council's official representative is required to immediately remove these items from display and shall not sell any.

26. Only those commodities contained in the registration form are to be sold. Any disputes concerning the commodities being sold will be determined by the Town Council and any goods found not to be permitted for sale must be removed from display immediately.

27. The Trader shall comply with any and all lawful instructions given by the Market Supervisor or Town Clerk.

28. The Trader shall indemnify the Council against all costs, claims and demands resulting from damage caused to the highway or market area by the use of it by him, his employees and agents in and about the exercise of stallage rights.

29. The Trader shall indemnify and keep the Council, its employees and agents from and against all costs, claims and demands in respect of bodily injury to, or illness or disease of third parties, and loss or damage to third parties, and loss or damage to a third party property arising from the occupation and use of the site and shall effect a public liability insurance policy to cover the risks mentioned. Such policy to be effected with an insurance company approved by the Council in a sum of at least £1,000,000 in respect of any one occurrence. Evidence of such insurance cover shall be produced to the Town Clerk on request and in every case before a new Trader is granted a Trader's Licence. *Are we happy with the sum being a minimum of £1,000,000 as following research on other markets their minimum is £5,000,000*

30. All traders must be approved by the Town Council prior to attendance and will be supplied with a copy of the rules governing the market at the time their Trader's Licence is issued and further copies may be obtained from the Town Clerk.

31. Market Licences will state the nature of goods to be sold. Additions or amendments to the current licence must be applied for in advance in writing to the Town Clerk. Once approved by the Town Council the licence will be amended.

32. Market licences are reviewed and renewed annually.

    The Town Council is under no obligation to renew the market licence at the end of the year (currently December) and reserves the right to give one month's notice of termination in writing.

33. The Council reserves the right in their absolute discretion to refuse stallage to any particular person or persons without giving any reason whatsoever.

34. If the Trader contravenes any of the regulations or conditions herein contained, he shall be liable, at the discretion of the Council, to forfeit Stallage rights thereafter.

35. Any comments regarding the market should be addressed in the first instance to the Market Supervisor or Town Clerk.

36. No goods or services of a political or religious nature will be permitted.

37. If a licence holder has not attended the Market at least once during the current year the Market Licence will automatically be revoked at the time of renewal.

38. The Council has granted delegated powers to the Town Clerk to refuse applications from market traders selling eggs, fish, cheese, pies, fruit and vegetables and mobile café, to avoid duplication of goods already available on the markets.
The Council has granted delegated powers to the Town Clerk to refuse applications from market traders who wish to sell duplicates of that already sold on the market.

39. Traders selling alcohol must comply with the Alcohol Authorisation Form requirements.

40. Cable covers MUST be used at all times.

41. Counterfeit goods will not be permitted.

42. The Council discourages the use of non-biodegradable plastic bags, non-recyclable packaging and single use plastics and encourages the use and promotion of all biodegradable carrier bags and packaging.

43. In the event of high winds and adverse weather conditions, the Town Council reserves the right to cancel the holding of the market in order to minimise the risk of hazards and injury. Traders should also take cognisance of their public liability insurance, which generally precludes the erection of gazebos/stalls where gusts exceed 30mph.

44. Stalls and equipment should be stable and weighted sufficiently for safety purposes.

45. Traders are responsible for ensuring that they conduct their businesses in such a manner as to minimise the risk of fire. The use of generators is strictly forbidden without the prior consent of the Town Council.

46. All gas appliances must have current gas certification and all gas bottles must be contained. The use of gas is forbidden without the prior consent of the Town Council.

47. There is currently no access to water or waste drainage or refuse disposal.

Code:
Yellow: my suggestion to changed or add
Green: what I need to action following confirmation of any new market amendments

Markets

- Our Saturday market is considerably larger than a Tuesday market:
  A Tuesday market can consist of 4 Regular pitches & 1 Casual
  A Saturday market can consist of 8 regular pitches & 8 pitches Casual dependant on size but available to be Regular if we get more applicants

- The Tuesday market requires casuals to book and they cannot book two consecutive weeks as only one 10ft pitch is available due to the reduced size of the Tuesday market

- Saturday market casuals turn up and are allocated a pitch on a first come first served basis (so far no one has been turned away)

- We have a charity & YPIP pitch which is available on a Saturday market only for a pitch up to 10ft (before confirming a booking we check with Council then with Darren)

  YPIP (Young Persons Independent Pitch)
  This pitch is for Saturdays only for children aged 16-21. We do allow some younger ages such as the high school's organised youth group 'Young Enterprise Team' to attend as they have their own insurance, they are not allowed to sell food or mobile phones. The pitch is charged at £5 and applications need to be agreed by the Lands & Markets Committee. The pitch cannot be booked for consecutive weeks but if the pitch is available we use our discretion. The stall needs to be completely independent of adults and preferably not selling anything sold by other traders.

  Charity Pitch
  This pitch is Saturdays only for Charities and is charged at £5 and applications need to be agreed by the Lands & Markets Committee. It is at our discretion as to whether we charge for the pitch; for example for the Royal British Legion we do not charge.

Regular traders are invoiced each quarter as follows:

Spring – 1st January to end of March

Summer – 1st April to end of June

Autumn – 1st July to end of September

Winter – 1st October to end of December

- Regulars are given 10% off if they pay by the 10th of the first month of the quarter

- Regulars for a Saturday market only receive 10% holiday discount if they attend 48 weeks out of 52 weeks (the discount isn't given off electric if used) this is given in the Autumn quarter. At our discretion one trader who attends the market on a Tuesday receives the holiday discount due to being regular and attending the required time and for long term attendance

Rate (minimum charge is for 6ft frontage)

Electric is charged at £3.50 per day

Spring quarter:

Regular - £0.90 per foot, with the early payment discount £0.81 per foot

Casual - £1.40 per foot

Summer quarter:

Regular - £1.10 per foot, with the early payment discount £0.99 per foot

Casual - £1.60 per foot

Autumn quarter:

Regular - £1.10 per foot, with early payment discount £0.99, with holiday discount & early payment discount £0.88 per foot

Casual - £1.60 per foot

Winter quarter:

Regular - £0.90 per foot, with early payment discount £0.81 per foot

Casual - £1.40 per foot

Example of costing for a 6ft pitch

Spring:
Regular - £5.40 or £4.86 with early payment
Casual - £8.40

Summer:
Regular - £6.60 or £5.94 with early payment
Casual - £9.60

Autumn:
Regular - £6.60 or £5.94 with early payment or £5.28 with early payment & holiday discount
Casual - £9.60

Winter:
Regular - £5.40 or £4.86 with early payment
Casual - £8.40

Potential amendments

Charge Rate

The charge rate needs to be reviewed as per my example for a 6ft pitch being under £10 per pitch per day with the rate not being reviewed since 2014.

We need to eliminate the discount of 10% for early repayment; we have it regularly occur where traders request to be regular, we produce their invoice, then we chase for payment around the 10th (deadline for the 10% early repayment discount) and they then request to be casual, meaning the time taken to produce the invoice and chase has been pointless. Also, if they do not pay we then have to produce another invoice as the adjusted rate.

We could change the holiday discount to 'Attendance discount' potentially only give a discount to those who have traded religiously throughout the year like the holiday discount attending 48 out of the 52 weeks.

Examples of charge rates for other local markets:

Halesworth start from £10 per pitch and the first month is free; they also offer free gazebo hire for new businesses

Laxfield charges £10 per pitch

Saxmundham are free for a pitch on a Wednesday as part of a plan to rejuvenate the Wednesday market but pitches start from £15 per pitch for a Saturday raising to £20 per pitch if there is an event, this is for a 3mx3m pitch, if over they are charged for a double pitch

Southwold charge £25 per pitch generally consisting of two tables, with the tables and chairs provided.

Stowmarket give the first 4 weeks rent free then charge £12.50 per pitch for a casual trader 3mx3m

Beccles charge £1.25 per foot

Woodbridge charge £1.35 per foot which has recently been increased from £1.30 per foot

Bungay have 4 markets per year (May, July, October & December) with pitches starting from £60

Public Liability Insurance Certificate

Currently Traders are required to send their PLI certificates to the Office Assistant and it is up to the Office Assistant to monitor those expiring and request updated versions. A suggestion would be that Market traders display their Public Liability Insurance certificates clearly on their stall each time they attend for both the public to view and for Darren to check eliminating the need for the Office Assistant to monitor expiring dates.

I have noticed whilst researching other markets some have a required minimum coverage for the PLI of 5 million, our regulations state a sum of at least £1,000,000 taken from the paragraph below are we happy with this sum?

"The Trader shall indemnify and keep the Council, its employees and agents from and against all costs, claims and demands in respect of bodily injury to, or illness or disease of third parties, and loss or damage to third parties, and loss or damage to a third party property arising from the occupation and use of the site and shall effect a public liability insurance policy to cover the risks mentioned. Such policy to be effected with an insurance company approved by the Council in a sum of at least £1,000,000 in respect of any one occurrence. Evidence of such insurance cover shall be produced to the Town Clerk on request and in every case before a new Trader is granted a Trader's Licence."

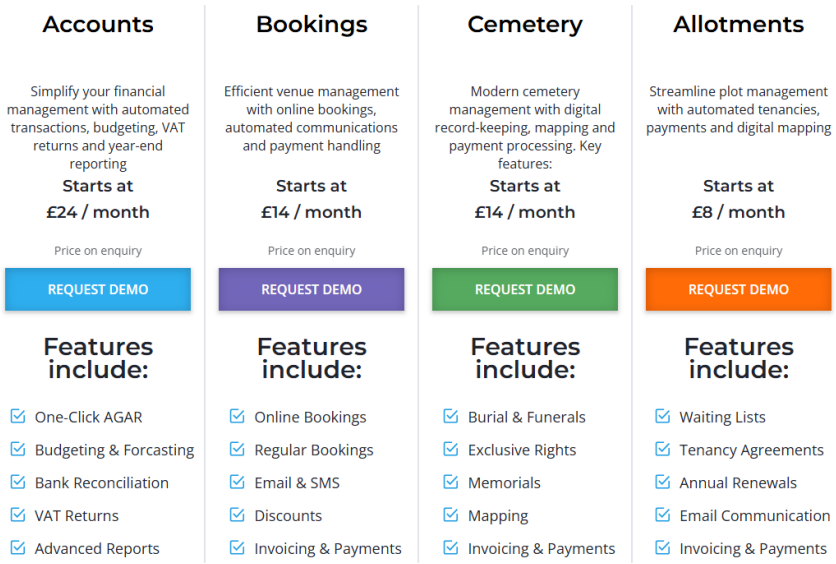
Bookings

We currently take bookings for Casual Traders on Tuesdays, these are paid on the day but I feel these should be paid in advance as we take time to book them in and correspond so at least we get some compensation for the time if they don't turn up as we have already been paid. I think we should include booking Saturday Casual pitches to be booked a week in advance and paid in advance by BACS.

This process would then eliminate the need for Darren to collect payments and for someone to attend in Darren's place when he is on annual leave. Darren would also have the knowledge to plan the layout accordingly.

By getting advanced payment by BACS we are also minimising the handling of cash.

Another possibility is to contact Scribe who we currently use for accounts as they provide the option of an online booking system, this option could be used for the Pavilion, Markets and Allotments. Some example pricing is below:



Regular & Casual Traders

One option is Traders are required to start as a casual trader then after a probation of say 4 months or attending 14 days out of 16 they can request to become Regular once they have become established in the market.

Another option is Traders could start as Casual or Regular with the fact being if they request regular they pay in advance and having already paid we receive a fee even if they choose not to attend.

If we decide to keep the Regular and Casual categories, the regulations should be updated to state: *"If a trader is classed as Regular and wishes to change to Casual, they must give one month's notice before the start of the next quarter."*
This will prevent us from issuing an invoice at the Regular rate, chasing payment, and then having to cancel and reissue it at the Casual rate once the trader notifies us of the change.

It might also be worth changing the wording to the following if we allow new traders to start as either Casual or Regular:
"New traders are welcome to apply for a pitch at Framlingham Market. There is no set requirement to trade as a casual trader for any number of days before becoming a regular trader.

All prospective stallholders must complete a Market Stall Licence Application Form and submit it to the Town Clerk, along with the necessary documentation — such as proof of public liability insurance.

Subject to pitch availability and approval by the Town Council, a new trader may be appointed as either a casual or a regular trader from the outset."

It might be worth having a map of roughly what pitches are available so we understand what traders can go where.