



## STAFFORD MARKET SQUARE USAGE POLICY 2016

### 1. Introduction

- 1.1 The Market Square is the focal point of Stafford Town Centre. It is a place where all residents and visitors to Stafford can undertake a variety of activities, be entertained, enjoy shopping and leisure activities or sit and watch the world go by. It is a valuable public open space in the heart of the town.
- 1.2 It is important to ensure that any entertainments or activities in the Market Square enhance the image of the town. It is also important to ensure that in relation to activities and movement of vehicles that public safety is not compromised.
- 1.3 The Market Square Display Area is owned by Stafford Borough Council and it is defined by the bollards in the centre of the Square. It is to this area that the following guidelines apply.
- 1.4 Other areas of Stafford Town Centre are in the public highway and any activities or street trading will be licensed by the Borough Council's Environment and Health Department (More information available from <http://www.staffordbc.gov.uk/licence-street-trading>, [ehlicensing@staffordbc.gov.uk](mailto:ehlicensing@staffordbc.gov.uk) or 01785 619402).

### 2. Objectives

- 2.1 This policy relates to the designated Display Area within the Market Square (see **Appendix 2**). The objectives for the use of the Market Square are:
  - To enhance the image of Stafford as the County Town
  - To facilitate and encourage appropriate events and entertainment
  - To accommodate a range of activities
  - To support local businesses
  - To support local community and voluntary groups
  - To ensure a safe environment for visitors
  - To link into the general management of the Town Centre

### 3. Booking Procedure

- 3.1 All bookings for Stafford Market Square are to be made through the Stafford Market Office on 01785 245935.

- 3.2 A booking form must be completed and returned with a risk assessment of the activities to be undertaken and written evidence of Public Liability insurance cover for a minimum of £2,000,000 for all users.
- 3.3 A photo or drawing of the stand/display may be requested to accompany the booking form with a sample of any promotional literature if applicable.
- 3.4 All bookings are only confirmed once payment has been received by the Market Office either by cheque made payable to 'Stafford Borough Council' or card payment over the telephone.
- 3.5 A Display Area Permit will be issued to confirm the details of the booking. All hirers must be able to show a copy of the permit during the times of their hire in case of inspection from the Market Manager or authorised officers.

#### **4. Rates to Hire the Market Square Display Area**

- 4.1 The current rates are included at **Appendix 1**. These are reviewed on an annual basis by the Borough Council.

#### **5. Pitch Allocation**

- 5.1 When making a booking you will be allocated a quartile(s) of the square in accordance with the space that you have booked. Please refer to the Display Area Plan for guidance to your pitch allocation which will be indicated on your permit.
- 5.2 Pitch allocation will be on a first come first serve basis to maximise the number of bookings that can be accommodated within the Display Area.
- 5.3 Any users who set up in a different quartile to that allocated to them will be asked to move and may not be allowed to book the Market Square again.
- 5.4 More than one group may be allocated a section of the Display Area at the discretion of the Market Office staff to ensure no conflict of interest between the different parties.

#### **6. Terms and Conditions of Hire**

- 1. Vehicle access will only be permitted to the Market Square by its users before 10am or after 4pm. (Please see section 7 for more information with regards to vehicle access and use).
- 2. The Council will not be liable for any loss or damage to any equipment or goods belonging to or under the control or custody of the booked users of Market Square.
- 3. All entertainment in Market Square must be booked at least 14 days in advance through Stafford Borough Council who organise a programme of events for each calendar year. An appropriate licence must be obtained and it is up to each user to ensure that they have the appropriate licences; this may include a music licence.

4. Only markets agreed by Stafford Borough Council are permitted in the Market Square. Such markets would normally be limited to one event a month to allow a wide range of events to take place.
5. Delegated authority is given to the Head of Regeneration to approve bookings that differ from the policy in exceptional circumstances. The Head of Planning and Regeneration reserves the right to refuse any booking not deemed suitable for Market Square.
6. Council or Council-sponsored events at weekends will be given priority over other bookings for community and voluntary groups or commercial organisations, which should be scheduled for weekdays wherever possible.
7. If a license is required for street collection, music, dancing or alcohol it is the organiser's responsibility to obtain this from the Licensing Section at Stafford Borough Council - 01785 619745.
8. A charge may be made for street cleansing for all applicable bookings.
9. Where an entertainment takes place, the number of performers must not exceed 50 unless written permission has been obtained from the Market Manager or authorised officers.
10. No public address or amplification equipment shall be used unless approved by the Market Manager or authorised officers and approved equipment should only be used at reasonable levels as not to cause a nuisance
11. Activities will not normally be sanctioned within 5 metres of any of the shop frontages of the Square. No activities must take place within 2 metres of the steps to the Shire Hall.
12. No activities of a dangerous, obscene or offensive nature will be permitted. All users must not say or do anything that could pressurise or harass people and must not engage in manipulative sales techniques with members of the public
13. No inconvenience or nuisance shall be permitted and no obstruction caused to pedestrian flow or to possible access needs for Emergency Services. You must not stand/sit or spread out your equipment so as to cause obstruction to pedestrians, entrances/exits to shops and other premises, to shop window displays, to street furniture or flower displays.
14. The number of signs to be displayed and the nature of display material shall be agreed with the Market Manager or authorised officers in advance.
15. Suitable measures shall be taken to protect kerbs, paving, statutory authority's apparatus, flower beds, trees etc., by means of fencing, steel sheets, signs and safety lighting, to be agreed, in advance, with the Market Manager or authorised officers.
16. The site shall be left in a clean and tidy condition and any damage shall be made good. In default, the Council will carry out any works of cleaning, tidying or repair and the cost thereof shall be recoverable from the user organisation.

17. The Council shall be indemnified by the user at his/her cost, against all loss, damage or claims whatsoever arising from the said use unless such loss, damage or claims are occasioned by the negligence or deliberate act or default of the Council, its agents, servants or workmen. The hirer must provide proof of current public liability insurance to indemnify the council against claims arising from the hirer's actions or omissions.
18. The user shall comply with any additional conditions, which the Market Manager or authorised officers may impose as is considered necessary in each case, such additional conditions to be notified in writing.
19. The Market Manager may at any time direct any alteration to the display as he, at his/her discretion, considers necessary and the user shall forthwith comply with any such direction.
20. **Bookings are only confirmed once payment has been received.** Payment can be made by a cheque made payable to 'Stafford Borough Council' or a card payment over the telephone on 01785 245935
21. Users agree to stay within the boundaries of the pitch they have been allocated on their booking permit in line with the size of the space they have hired.
22. All to provide a Risk Assessment of their activities and any interactions with the general public
23. Display area permit to be displayed at all times
24. The sale of goods or services is only permitted in connection with a cultural or community event or as part of one of the markets unless special permission is granted by the Market Manager.
25. Food may only be sold at any event subject to the approval of the authorised environmental health officers (please see Section 10 for more information on the sale of food)
26. Any users must refrain from any activity if requested to do so by an authorised officer of Stafford Borough Council or the Police
27. All market stalls/ displays must be of a standard acceptable to Stafford Borough Council to enhance the look of the Market Square
28. **All users must sign the booking form to indicate that they have read and agree to these terms and conditions.**

## **7. Vehicles**

### **7.1 Vehicle Access**

Vehicle access to the Market Square area is only permitted before 10.00am and after 4.00pm for users of the area. Movement of vehicles within these times is strictly prohibited. The maximum gross vehicles weight is 7.5 tonnes within the Display Area.

## **7.2 Vehicle Display**

Motor vehicles and/or trailers will not be permitted to be stationed in the Display Area unless written permission has been obtained from the Market Manager or authorised officers. Only vehicles essential for an event or display will be permitted to park on the Market Square. The vehicles must be on site prior to 10.00am and cannot be moved before 4.00pm.

Vehicles deemed to be essential for an event or display are those that are required as an integral part of an event or display and are so required throughout the whole of the event or display. All vehicles must be detailed on the booking form at the time of booking and only the vehicles on the Display Area Permit will be authorised to use the area.

## **8. Policies for the Sale of Alcohol**

- 8.1 Any hirer of the Market Square intending to sell alcohol must ensure that at least one person attending the event holds a personal alcohol licence and it present on-site for the duration of the event. A copy of a current personal alcohol licence must be made available to Market staff at the time of hiring the Market Square and in advance of the event taking place.
- 8.2 Only the personal license holder or his/her nominated representative over the age of 18 will be able to sell alcohol in the Market Square.
- 8.3 The sale of alcohol in the Market Square must comply with a 'Challenge 25' policy. Information on this is available from Staffordshire Trading Standards (Tel 01785 277888).
- 8.4 Ad hoc inspections will be undertaken by Stafford Borough Council Regulatory Services to ensure compliance. Failure to comply with the above conditions concerning the sale of alcohol may lead to prosecution and exclusion from hiring the Market Square in the future

## **9. Events involving Animals/Birds**

- 9.1 The welfare of all animals/birds should be provided for with appropriate food, water, bedding and protection from the weather at all times.
- 9.2 All animals/birds should be kept in a secure pen or on leads at all times. All animal waste should be removed immediately be being bagged and properly disposed of.
- 9.3 Where the public may come into direct contact with animals/birds, signs shall be erected clearly advising all to wash their hands after coming into contact with the animals/birds
- 9.4 Animals/birds should be segregated from the public where there is a risk of biting or aggressive behaviour
- 9.5 No sale of animals or birds to take place within the Market Square.

## **10. Policies for the Sale of goods and services**

- 10.1 The sale of goods or services will only be permitted in connection with cultural or community events and the goods or services must, in the opinion of the Market Manager or authorised officers, be directly related to the cultural or community event. All details of any goods or services to be sold must be given at least 14 days before the event. The goods or services may only be offered for sale during the time the event is taking place and must be removed at the end of the event.

### **Sale of Food or Drink**

- 10.2 Food or drink may only be sold at any event subject to the approval of the authorised Environmental Health Officers (EHOs).
- 10.3 The Market Manager or authorised officers must be provided with details of the type of food and the circumstances in which the food is to be sold at least 14 days before the event is to take place. (See attached Notes for guidelines on food sales.)

When considering approval the Market Manager or authorised officers will use the following guidelines:-

- (a) Unless there are special circumstances food or drink will not normally be permitted for sale
- (b) Those wishing to have food or drink for sale at an event must normally be able to show that the items they wish to sell is not available at a location near to the square during the event.
- (c) Food or drink will not be allowed for sale unless a Stafford Borough Council Environmental Health Officer has approved the facilities and circumstances used for its sale.
- (d) Any sale of food or drink will only be permitted as part of a community or cultural event for the duration of the event.

## **11. Security/ Health and Safety**

- 11.1 The hirer must undertake a risk assessment for the event and ensure that all participants and contractors comply with all relevant health and safety legislation or any other guidelines relevant thereto at all times during the event and while preparing and clearing the Venue for the event.
- 11.2 The hirer is responsible for all public health and safety aspects of the event prior to, during and subsequent to the event.
- 11.3 The hirer must undertake to indemnify the Council and keep the Council at all times fully indemnified from and against all actions/proceedings/claims/demands/costs/awards and damages however arising directly or indirectly as a result of the use of the venue for the event.

- 11.4 Organisers of events have a legal responsibility to ensure the Health, Safety and Welfare of any employees, volunteer helpers or contractors involved in arranging the event and to the public and participants attending. This should be ensured by carrying out a detailed risk assessment (see 6.1 above). All hazards associated with the event should be identified, the level of risk assessed and appropriate action taken to reduce these risks to an acceptable level. All events must comply with recognised safety standards and must take all reasonable precautions to ensure the event takes place safely.
- 11.5 A formal record should be kept of the risk assessments and a copy sent to Stafford Borough Council along with the booking form. Failure to do so will result in the cancellation of the event.

## 12. Complaints

- 12.1 Any complaints should be forwarded in the first instance to the Head of Planning and Regeneration. Any escalation of a complaint should be forwarded to the Chief Executive in line with the Corporate Comments, Complaints and Compliments Procedure (please see <http://www.staffordbc.gov.uk/complaints> or contact [complaints@staffordbc.gov.uk](mailto:complaints@staffordbc.gov.uk) or phone 01785 619213).
- 12.2 Complaints received about a user in the Market Square Display Area will be considered by the Head of Planning and Regeneration and may lead to the refusal of future bookings.

## 13. Damage

- 13.1 The user of the Display Area will be liable for any damage to public property. This includes paving, bollards, floral displays, litter bins, benches, street trees and other street furniture. In addition, the Council reserves the right to pursue an appropriate claim to recover any uninsured losses.

## 14. Additional Guidance for Specific User Groups

### 14.1 Charities

All charities groups can book up to half of the display area at the fixed rate as outlined in **Appendix 1**. Special consideration for groups requiring more than half of the display area may be given in exceptional circumstances as authorised by the head of planning and regeneration.

### **Community/ Voluntary Groups/ Public Agencies - Information and Advice**

- Non-political government and health organisations:
  - Are welcome to book to exhibit information.
  - Official ID must be displayed at all times
- Political/ Lobby organisations:
  - All political and lobby organisations are permitted to book to use the Market Square providing that:

- They meet the general policies
- The Police have no objections on Public Order grounds to any one organisation using the Market Square
- Only one organisation is permitted in the Display Area on any one day; and are may not be permitted when any other activity is taking place

## **Charity Collections**

- Coin collections
  - Permitted on Saturdays only with the appropriate permit from the Licensing Section – contact number 01785 619745
  - Official ID must be displayed at all times
  - Maximum of one charity collection in the Display Area at any one time
  - Maximum of 3 fundraisers in the Display Area at any one time; however, where children are collecting, a relevant number of supervisors are also permitted.
  
- Face to face/ direct debtors
  - Only Public Fundraising Regulatory Association member charities are permitted
  - The appropriate permit must be obtained from the Licensing Section
  - Maximum of 12 bookings per year, once a month Monday – Thursday
  - Official ID must be carried and displayed at all times
  - A bib, tabard or jacket highlighting the charity must be worn at all times
  - Maximum of 2 canvassers in the Display Area
  - Canvassers should be positioned in such as way to offer an adequate “comfort zone” to those users of the Market Square who choose not to engage with them and at a minimum of 5 metres away from the shops/premises entrance so as not to deter people from entering

Market Researchers are not allowed in the Display Area

## **15. Advertising/Promotional Material**

The promotion of goods or services is only permitted in connection with the sponsorship of a community or cultural event and promotional material will only be permitted to remain in the square for the duration of the event. The Market Manager or authorised officers must receive details of the advertisements that will be used at the event for approval at least 14 days before an event is to take place.

The Market Manager or authorised officers when considering advertising proposals for approval will use the guidelines given below:

- (a) Events organised by the Market Manager or authorised officers will be deemed to have approval.
- (b) Any advertising must be proportional to the size of the event being sponsored.
- (c) All materials used must be of good quality.
- (d) All advertisements must not be such as to offend and must conform to the requirements of the advertising standards authority.
- (e) Any advertisement must be removed at the end of the sponsored event.

## **Appendices**

Appendix 1 - Market Square Hire Charges

Appendix 2 - Display Area plan



## APPENDIX 1 to the Market Square Usage Policy

### Market Square Hire Charges from 1 January 2016

Sunday - Thursday Charges - per day

|                       | <b>Whole</b> | <b>½ Square</b> | <b>¼ Square</b> |
|-----------------------|--------------|-----------------|-----------------|
| <b>Commercial</b>     | £185         | £118            | £72             |
| <b>Not for Profit</b> | £92          | £62             | £31             |
| <b>Charity</b>        | -            | £15             | £15             |

Friday Charges - per day

|                       | <b>Whole</b> | <b>½ Square</b> | <b>¼ Square</b> |
|-----------------------|--------------|-----------------|-----------------|
| <b>Commercial</b>     | £205         | £123            | £77             |
| <b>Not for Profit</b> | £100         | £67             | £36             |
| <b>Charity</b>        | -            | £15             | £15             |

Saturday Charges - per day

|                       | <b>Whole</b> | <b>½ Square</b> | <b>¼ Square</b> |
|-----------------------|--------------|-----------------|-----------------|
| <b>Commercial</b>     | £360         | £206            | £123            |
| <b>Not for Profit</b> | £185         | £123            | £62             |
| <b>Charity</b>        | -            | £15             | £15             |

These hire charges are VAT exempt.

Street Cleansing - The actual cost of cleaning to Street Scene (minimum £100 if applicable)

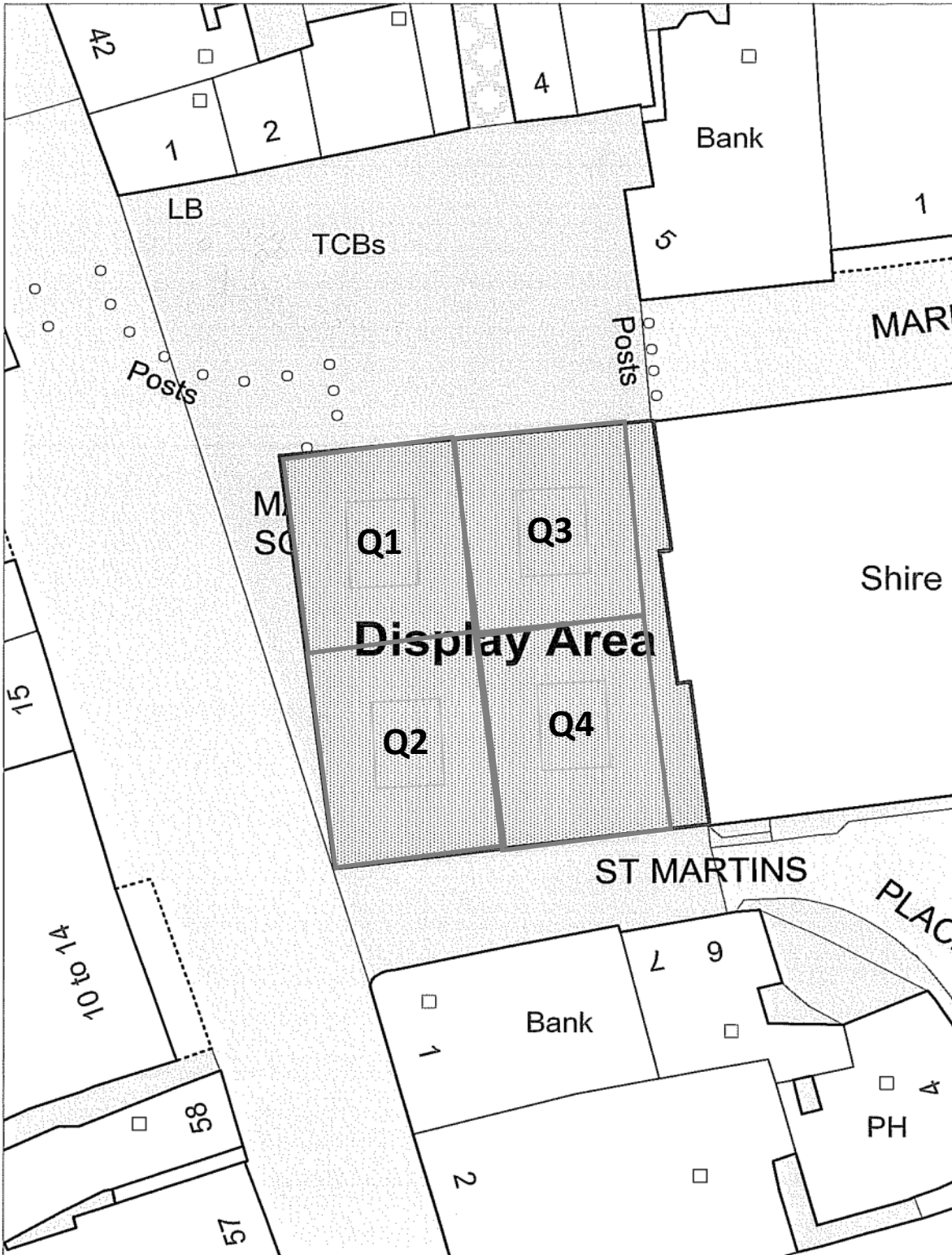
Cancellations – If a booking is cancelled within 14 days of the event, 100% cancellation charges apply. If a booking is cancelled more than 14 days before an event a £38 administration charge will be applied.

Fees will be increased annually by the headline rate of inflation, unless determined otherwise by the Council.

# APPENDIX 2 to the Market Square Usage Policy

## The Designated Display Area 2016

### Hire of Market Square



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office (c) Crown Copyright. Unauthorised reproduction infringes Crown copyright, and may lead to prosecution or civil proceedings.  
Stafford Borough Council Licence No 100018205  
This copy has been produced specifically for Local Authority Purposes only.  
No further copies may be made

Scale : 1:500  
By: LLP  
Dept: Process Team