

<b>POLICY:</b>	<b>MARKET COMPLIANCE PROCESS</b>
<b>Policy number:</b>	LTC / MCP / 23 / v.2
<b>Available to:</b>	All Staff, Councillors & Public (Website)
<b>Supersedes Version:</b>	Compliance Procedure – Adopted December 2011
<b>Approved by:</b>	Full Council
<b>Approval date:</b>	31 <sup>st</sup> July 2023
<b>Review due:</b>	April 2026

**1. Description**

The process for dealing with Market Trader breaches of conditions or trade.

**2. Purpose of this policy**

To set out the process for dealing with Market Traders who breach the Market Licence conditions or Market Regulations for trading on Ludlow Market.

**3. Scope**

All traders trading on the regular or specialist markets on Ludlow Market Square or in the Buttercross Market.

**4. Procedure**

<b>Stage</b>	<b>Reason for Procedure Being Applied</b>	<b>Action</b>	<b>Designation of Authorised Officer</b>	<b>Appeal To:</b>
1 Routine	Trader non-compliance with Licence conditions or Market Regulations	Note on daily monitoring form. Issue of Formal Warning Stage 1.	Market Officer or Officer undertaking that responsibility.	Town Clerk within 10 days in writing
2 Serious	Continued failure to comply with the Licence conditions or Market Regulations OR A serious initial breach	Issue of Formal Warning Stage 2 letter by hand or by post.	Market Officer or Officer undertaking that responsibility.	Town Clerk within 10 days in writing

3 Very Serious	Continued failure to comply with the Licence conditions or Market Regulations OR A very serious initial breach	Issue of Formal Final Warning Stage 3 letter by hand or post. Notify Services Committee	Market Officer or Officer undertaking that responsibility.	Town Clerk within 10 days in writing
4 Severe	Continued failure to comply with the Licence conditions or Market Regulations OR Repeat of a very serious breach OR An initial severe case	Issue of Formal Letter giving Termination of all stall/pitch licenses. Delivered by hand or post. Notify Services Committee	Town Clerk	Services Committee

**Notes:**

*The procedure does not include any reference to the verbal requests and instructions given day to day by markets management.*

*It includes for a one year “rolling period” for breaches at Stages 1 and 2 (i.e. if breaches are committed more than one year before they will not be taken into consideration).*

*The Authorised Officer will decide what stage of the procedure will apply in the circumstances, dealing with each case on its merits.*

*Any trader making a formal appeal within the procedure other than at Stage 4 will be permitted to continue trading, subject to the conditions of letting, pending the result of the appeal.*

*The procedure does not apply to non-payment of market charges which will be dealt with strictly in accordance with the Licence terms.*

**5. Legal**

Markets And Fairs Clauses Act 1847  
 Royal Charter.  
 Part III of the Food Act 1984

**6. Other relevant policies**

Market Regulations
Specialist Market Regulations
Market Licence