

HEALTH AND SAFETY REQUIREMENTS
for Arnold Market

CONTENTS

1. Introduction
2. Emergency Procedures
3. Terrorist Attack
4. Employment of Children and Young Persons
5. Traffic Management
6. Market Day Requirements
7. Market Closure
8. Maintenance of Access and Egress
9. Sale of Goods
10. Conduct of Traders
11. Notification of Accidents, Incidents and Near Misses
12. Other Information and Contact Details

HEALTH AND SAFETY REQUIREMENTS

1. Introduction

All traders at Gedling Borough Council's ("the Council") market at Market Place, Arnold, Nottingham, NG5 6ND ("the Market") are required as a condition of their agreement with the Council (either a Casual Trader Licence Agreement or a Licence Agreement to Trade at Arnold Market) to comply with these Health and Safety requirements. This is in addition to any relevant Health and Safety legislation.

Because of possible risks to the public when passing through the Market it is the responsibility of all traders to ascertain and comply with Health & Safety legislation concerning the operation of their stall or mobile trading unit from a pitch either by themselves or others.

Traders are required to maintain Public Liability and, if required, Employers' Liability insurances at all times and provide evidence of same to the Council's market management team ("Market Management") upon request.

All traders are expected to:

- Familiarise themselves with these Health and Safety requirements.
- Undertake appropriate risk assessments, and safe systems of working that are implemented and regularly reviewed.
- Ensure all employees, agents and contractors are adequately informed, instructed, supervised and trained in Health and Safety matters
- Take reasonable care of their health, safety and welfare and that of others who may be affected by their acts or omissions
- Work correctly and safely in accordance with all training and instruction
- Make available and ensure the use by themselves and all employees or staff of appropriate personal protective clothing and equipment suitable for the task
- Take appropriate corrective action with respect to any person failing to carry out a Health and Safety duty assigned to them for which

they have received appropriate instruction, or who endanger any other person by act or omission

- Assist the Market Management by reporting any accident or incident that has or may cause injury to a person or damage to stalls or property using the contact details provided in paragraph 13.
- Provide and maintain a first aid kit for use by traders and staff
- Co-operate and comply with all directions of the Market Management to ensure compliance with all statutory responsibilities and ensure all requirements regarding Health and Safety issues are understood and applied by employees agents and contractors
- Seek the advice of Market Management when necessary to promote and develop healthier and safer working practices.

These requirements must be followed until further notice by all traders, their agent's, employees and contractors and all other persons who assist them in operating, or in transporting goods to and from, their stall or mobile trading unit from a pitch. Failing to follow these requirements will constitute a breach of the conditions of licence agreement to trade at the Market, and could lead to suspension or revocation depending on the circumstances.

2. Emergency Procedures

On occasion it may be necessary to evacuate the Market in the event of an emergency to ensure the safety of traders, employees or members of the public.

Evacuations will be directed by the emergency services or the Council. Traders can assist in ensuring a calm and safe evacuation by obeying the instructions of emergency services and passing on guidance to any members of the public.

Given the open nature of the Market there is no officially designated assembly point. The Market is an open area with several points of access. Therefore, the principal focus of an evacuation will be to direct members of the public away from any potential danger.

To ensure any evacuation takes place with speed, ease and safety it is essential that goods are displayed correctly with no encroachment on any walkways or traffic routes.

Traders should also be aware of the movements of emergency vehicles which may require access to the Market.

3. Terrorist Attack

In the event of a terrorist attack, the instruction to the public, traders and staff will be to

RUN, HIDE, TELL

RUN

If there is a safe route: Run
Insist others go with you
Don't let them slow you down
Leave your belongings behind

HIDE

If you can't run, hide
Find cover from gunfire
Lock the door and barricade yourself in
Move away from the door
Be very quiet, silence your phone

TELL

Dial 999 only when you are safe
Give your location
Give the direction the attacker is moving in
Can you safely stop others from entering the area?

Arrival of the Police

When the police arrive they may be armed
They may be dressed differently
Their first task will be to deal with the immediate threat first, casualties will be ignored

They may be unable to distinguish you from a threat and may treat you firmly

FOLLOW INSTRUCTIONS

Do everything they tell you to do

Don't make any sudden movements or gestures

Stay calm, don't shout or wave your arms

Keep your hands visible at all times

You may be asked for information about the incident

4. Employment of Children and Young Persons

Employment of children and young persons is regulated by statutory legislation. Currently, for Health and Safety legislation purposes, a young person is anyone who has not reached the age of eighteen, and a child is anyone who has yet to reach the minimum school leaving age. Special provisions regarding children and young workers are also included in the Working Time Regulations 1998.

In order to ensure compliance with legislation relating to young workers, the following guidance should be adhered to:

With regard to young workers, you will need to:

- Carry out a risk assessment which assesses the risks to all young people under 18 years of age **before** they start work;
- Ensure your risk assessment takes into account their psychological or physical immaturity, inexperience, and lack of awareness of existing or potential risks;
- Introduce control measures to eliminate or minimise the risks, so far as is reasonably practicable.

Where children are employed, the parents or guardians of the children must be informed of risk assessment findings. Children below the age of 13 are generally prohibited from undertaking any employment.

When assessing risk to young workers, the following factors all need to be taken into account:

- The layout of the workplace and the particular site where they will work;
- The nature of any physical risks they will be exposed to, for how long and to what extent;
- What types of work equipment will be used and how this will be handled;
- How the work is organised;
- The need to provide health and safety training.

These lists are indicative of the responsibilities and are not intended to provide a full list of every legal requirement. In short, it is essential that you are aware of your responsibilities to young workers, and that they are protected from risks relating to their age, lack of experience or lack of maturity.

5. Traffic Management

All vehicles, whether carrying goods for sale on the Market or transporting equipment to the Market must either be fitted with an audible reversing signal or make use of a trained banksman when reversing.

Vehicle movements must only take place outside of Market opening times (please see Market Traders' Handbook) to minimise the risk of accidents to other traders and members of the public.

All parking restrictions and conditions must be adhered to.

6. Market Day Requirements

Traders have responsibility for ensuring that they, their employees and members of the public are not at risk from their equipment or their activities. They should therefore ensure that stalls are sound and stable, and if there are concerns over this, then this must be raised with the Market Management as soon as practicable. Traders should visually inspect their stall prior to opening for business to ensure that they are satisfied that the stall is safe to operate from (for both themselves and visitors to the stall).

Stalls must remain within their allocated area and not encroach on walkways or roads.

Traders are responsible for undertaking their own risk assessment and staff training associated with market operation and manual handling.

There are areas of the Market with an uneven surface. Great care should be taken in these areas whilst the Council addresses these.

7. Market Closure

The Council retains the right to close/cancel the Market at their absolute discretion if they consider this to be necessary on the grounds of public safety.

In respect of adverse weather conditions the following will apply:

- The Council will monitor wind speed prior to any Market using the UK National Weather Service provided by the Meteorological Office. In the event of winds predicted to exceed 24 mph constant velocity (not gusting) for a period exceeding one hour the Market will be cancelled either prior to the Market day or prior to opening on the Market day or during the Market day. There may be times when the predictions sit just below this wind speed. In these cases the Council may apply some discretion as to whether the Market is cancelled. In these instances close monitoring of the weather will take place. If this monitoring subsequently identifies unsafe conditions, the Market will be cancelled.
- In the event of predicted snow and/or ice, the Council will monitor conditions using the UK National Weather Service provided by the Meteorological Office. If this monitoring subsequently identifies unsafe conditions, the Market will be cancelled.
- In the event of predicted flooding, both localised from heavy rain or by ingress of floodwaters into the Town Centre, and/or warnings by Emergency Planning Officers at Gedling Borough Council and Nottinghamshire County Council the Market may be cancelled.

In the event that the Market is cancelled traders will be not be charged.

8. Maintenance of Access and Egress

Stalls and pitches should not be laid out in such a way as to cause any encroachment onto walkways or roadways that will impede the safety of members of the public. All goods for sale and stalls and other equipment are to be set out so that the risk of slips, trips or falls is minimised. Stalls must be maintained in a clean and tidy condition, and all waste must be disposed of correctly in the waste bins provided.

Emergency routes in particular must be clear and accessible at all times during the operation of the Market and clear routes for emergency vehicles must be maintained.

9. Sale of Goods

Goods for sale must comply with all relevant legislation. A wide range of guidance is available from the website www.tradingstandards.gov.uk. Some of the areas that need to be considered are as follows, although this list is by no means exhaustive:

- **Electrical Equipment**

Electrical equipment must meet European Standards. Under normal circumstances, this will mean that the item has been appropriately CE marked by the manufacturer if there is no CE mark, you will need to be able to clearly demonstrate how the product meets the European Standard. Any second-hand electrical equipment must be safe, must meet appropriate standards (BS kitemark or CE marking), if for mains use, must be fitted with an approved plug and the correctly rated fuse, and must not have been tampered with or altered to work differently than when manufactured.

The sale of electrical items that do not meet these basic requirements both contravenes the licence conditions which apply to all traders (either a Casual Trader Licence Agreement or a Licence Agreement to Trade at Arnold Market) and is illegal.

- Jewellery and clothing

Any item of clothing or jewellery that contains nickel is subject to specific regulation - traders must ensure with their supplier/s that any such goods comply with these regulations.

- Toys

Sale of toys must be properly marked to ensure traceability, bear the CE mark and be accompanied by instructions for use and warnings where necessary. To adhere to labelling requirements all toys must have labels which include the name and address of the manufacturer and any importer and, the CE mark, and any instructions or special warnings. Toys that are second-hand do not need to be labelled with the CE mark or the name or address of the manufacturer or importer, but they must be sold in a safe condition and still meet the standards set out in the General Product Safety Regulations 2005. The special warnings and instructions are required for both second-hand and new toys. All toys sold must meet the requirements of the Toys (Safety) Regulations 2011.

- Furniture

Upholstered furniture is subject to stringent safety standards under the Furniture and Furnishings (Fire) (Safety) Regulations 1988. These regulations cover the flammability of upholstered furniture, and both new and used furniture has to comply. Furniture covered by the Regulations includes beds, sofa beds, cots, cushions, and mattresses. Upholstered furniture that meets the requirements of the Regulations should carry a permanent label with the heading 'carelessness causes fire'. In the case of mattresses, there should be a label stating compliance with BS 7177.

- Food

Any stalls selling food must comply with all current applicable food safety legislation and must meet the standards of Gedling Borough Council's Public Protection department. All traders must also have a minimum food hygiene rating of 3 or above.

You will need to take account of all of the following, which is not intended to be an exhaustive list:

- Transporting food in vehicles and containers that are clean and in good repair.
- Having facilities for washing hands and equipment.
- Food must be placed at a height of a minimum of 45cm from the ground and raw foods should be kept separate from cooked meats and high risk food products.
- Cross contamination between raw and ready-to-eat foods must be prevented at all times.
- High risk foods should never be displayed unrefrigerated for more than four hours, and should be stored and transported at a temperature of no more than 8°C.
- High standards of personal hygiene must be maintained for all those working on stalls where food is prepared or sold.
- Surfaces of stalls where food is prepared or sold must be kept clean and in good condition.
- Food should be labelled in accordance with statutory requirements, and under no circumstances should food be sold that is beyond its 'sell by', 'use by' or 'best before' date.
- A common feature to all goods offered for sale is that they must be safe for the consumer, and as the supplier the market trader has a responsibility for the safety of products, taking into account the packaging, labelling and instructions, the effect of the product on others products, and special consideration of those that may use or have access to the product (e.g. children). To ensure that these standards are met, traders should ensure that their products are sourced from reputable suppliers/manufacturers, that they are tested or certified to appropriate standards.
- Those handling food on stalls should be appropriately trained depending upon the type of food.

10. Conduct of Traders

Traders are expected to behave professionally and treat Market Management, other Council staff and the public with respect. Unacceptable

behaviour may result in licence suspension or revocation as set out in the Market Trader's Handbook (Terms and Conditions for Trading at Arnold Market). You may also be referred to the Council's Employee Protection Register group (Council's Violence register) if appropriate.

11. Notification of Accidents, Incidents and Near Misses

Any incidents that result in injury to a member of the public, or anyone working on a stall must be notified without delay to the Market Management immediately using the contact details provided below.

Traders should, wherever practicable, obtain the name and contact details of the injured party and pass these on to the Market Management, and co-operate with any investigations undertaken by the Market Management or other staff of the Council, as well as third parties including the Council's Insurers.

12. Other Information and Contact Details

Any queries with regard to health and safety matters should initially be raised with Market Management. These instructions are designed to assist traders and others with meeting health and safety requirements. By working together, the Market can continue to operate to high safety standards, without posing unnecessary risk to those who operate stalls, those who erect stalls or those who visit the stalls.

Contact details for the Market Management

Tel: 0115 901 3891

Email: arnoldmarket@gedling.gov.uk

END