Ribble Valley
Borough Council

www.ribblevalley.gov.uk

CLITHEROE MARKET TRADER DISCIPLINARY PROCEDURE

Procedure ownership

For any queries about this procedure, please contact the plan owner.

Department	Environmental Health / Market		
Owner	Mr Andrew Dent	andrew.dent@ribblevalley.gov.uk	01200 414466
Committee	Health and Housing		

This procedure is maintained and published on behalf of Ribble Valley Borough Council. A copy of this procedure will be published on the Council website and will be reviewed and updated as stated below.

Version control and review date

Version	Date	Reason for Publication	Approved by Committee / Date	Review Date
V1.0	30.10.2025	New Procedure	Health and Housing Committee	Where any changes are made

This procedure will be reviewed on an annual basis and updated accordingly as required to reflect local and national priorities

Equality implications

	Action	Yes / No
An Equality Impact Assessment (EIA) has been completed		**No**
EIA Hyperlink		

Supporting documents or legislation relating to this policy

Please include any supporting documents / legislation
1. The Clitheroe Market Regulations
2. Clitheroe Market Licence Agreements
3. Clitheroe Market Trader Code of Conduct

Clitheroe Market – Disciplinary Procedure

This procedure is designed to deal with breaches of a 'Market Licence Agreement', the 'Market Regulations' or the 'Trader Code of Conduct'. Its purpose is to ensure that any breaches or allegations of breaches, are dealt with promptly and fairly.

Procedure

Informal Warning

Following a minor breach of the Market Licence Agreement, Market Regulations or Trader Code of Conduct, the Market Superintendent or another member of the Market Team (Head of Environmental Health, Legal Officer) may issue a verbal informal warning (which is not recorded) to address the minor breach.

Where the verbal warning is not actioned immediately by the trader, a formal written warning will be given to the trader which will be recorded and filed. This will trigger stage 1 of the disciplinary procedure.

Stage 1 (Written Warning)

Following a clear breach of the Market Licence Agreement, Market Regulations or Trader Code of Conduct, a written warning will be issued to the trader, and this will be kept on file.

Where a trader receives three written warnings over a two-year period, the Council will progress onto stage 2 of the disciplinary procedure.

Stage 2 (Formal Meeting and the Consideration of Sanctions)

Where three written warnings have been issued to a trader over a two-year period or where a breach of the Market License Agreement, Market Regulations or Code of Conduct is deemed severe enough by the Market Team i.e. assault allegation/sale of illegal substances etc; stage 2 of the disciplinary procedure will be invoked.

As part of stage 2, the following steps will be taken:

1) A meeting will be arranged between the Market Team, the trader and any other individuals relevant to the case.

   The trader will be given at least 7 days' notice of the meeting and details will be provided of the condition breaches, allegations or incidents to be discussed in relation to potential sanctions.

   The trader will be permitted to bring a representative to the meeting.

2) The trader will be given the opportunity to make written representations, instead of attending the meeting. It will however be the traders responsibility to provide the Market Team with such representations before the meeting date.

3) At the meeting, the Market Team will fairly consider all witnesses, evidence, statements and letters deemed to be relevant to the case.

4) A written decision detailing the meeting's findings and sanctions to be applied (if any), with reasons, will be communicated to the trader as soon as reasonably practicable.

NOTE: If a trader fails to attend the meeting and fails to make a representation, the Market Team will reach a conclusion on sanctions to be imposed (if any) based on the evidence they possess.

Sanctions

The sanctions that may be applied by the Market Team following stage 2 of the disciplinary process are:

Suspension **–** Suspension of a trader on any specific market day or markets days at the discretion of the Market Team, or in certain cases until the breach has been rectified.

Termination **–** Termination of a trader's license relating to a stall, pitch or cabin

Right to Appeal

A trader can appeal the sanctions applied further to a stage 2 written decision.

The Councils Chief Executive will consider any appeals.

An appeal must be lodged by a trader, in writing (along with supporting documents and details), within 14 days of the written decision at stage 2.

Details should be forwarded to ceo-pa@ribblevalley.gov.uk or PA to the Chief Executive, Council Offices, Church walk, Clitheroe, Lancashire, BB7 2RA.

The Market Team shall provide the Chief Executive with a copy of the stage 2 written decision alongside supporting documents within 7 days of being notified.

After receiving all relevant statements and documents from both the Market Team and the trader, the Chief Executive will have the power to:

1) Uphold the appeal (in full or part)
2) Dismiss the appeal (in full or part)

The Chief Executives decision on this matter will be final.