



# Market Gazebos and Structures including in Adverse Weather Policy

Adopted by full Council on 03 March 2025

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## Introduction

It is always a difficult decision when to cancel the market which is an open market held in Market Yard car park. This policy is to provide guidance when considering local conditions that will dictate operational safety factors, as wind speed/direction and turbulence are particularly affected by layout and heights etc of surrounding buildings, so there is not a “one rule for all”.

This policy has been put together using advice from the National Association of British Markets (NABMA) to ensure the safety for the traders and members of the public.

Edenbridge Market traders provide their own stalls, equipment such as tables, pop-up gazebos and displays. The Council may provide pop up gazebos or equipment for stalls. This policy applies to both traders and council supplied equipment.

## General

Gazebos/pop-ups by nature are vulnerable to weather as they are not fixed and even more vulnerable as the encompassing nature of the stall covers leaves wind nowhere to go but to lift the stall up and away from the ground. Specialist stall manufacturers should offer recommendations on suitability of use in wind conditions and what extra equipment is needed to prevent “lifting off”. As a minimum it is expected that gazebos/pop-ups must have each gazebo leg weighted (these come in a minimum weight of 12kg each recommended to use two per leg) to cope with windy conditions.

Lightweight demountable stalls used on open spaces or precincts need to have floor anchorages (singly, or at ends of rows, for instance) to cope with windy conditions.

Market managers are often caught in a dilemma when open market stall traders want to continue trading to maintain their livings, but weather conditions indicate that there are health and safety risk issues to consider.

Professional gazebos will tolerate wind speed gusts of up to 40mph. For gazebos known as garden type gazebos, the manufacture advice is they cannot be used in wind speeds of

26mph or more. Market type metal structures, those that you build using the square type of metal frame bars, can tolerate a more substantial wind gusts, however Edenbridge Town Council will not allow any gazebos or structures to be erected in wind speed gust of 41mph or greater. Flat trading will then be allowed.

Operational policy is provided within the traders' agreements. Risk Assessments for the market and each trader is carried out. These form the basis for the market day health and safety monitoring. Safety (for the public, traders and anyone in the vicinity) is of underlying importance, of course, followed by potential damage to property. Management has a duty of care and is, therefore, responsible as to whether a market should be cancelled. A wrong decision to allow a market to continue in extreme weather conditions could put at risk the Council's own insurance policies. Individual traders' third-party insurance cover could also be compromised if they continue trading when it is common sense not to do so or when markets management instructs not to do so. In very high winds there is every possibility of injury to people and of damage to property caused by wind-blown market equipment.

## Implementation

The Market Officer, or in the absence of, the Town Clerk or Deputy Clerk shall implement this policy. Any escalation of the policy should be put to the Town Clerk.

**The Market Officer (Town Clerk or Deputy Clerk or other officer of the Council) can cancel a market on the grounds of public interest and safety.**

## Arrangements - Weather checking

The day prior to a market the Market Officer will check the weather forecast for Edenbridge via the Met Office website (or other reputable weather site). If wind gust forecasts are predicted to exceed 26mph for any period during the next trading day (including erection/dismantling hours) the following process will be put into effect.

Met Office weather warnings are in three categories: Yellow (awareness etc), Amber (be prepared for risk to life and property etc) and Red (risk to life, etc).

A severe weather warning in itself is not a reason to cancel the market. The Market Officer shall use their own judgement of the prevailing weather to decide if the market, or parts of the market, can be erected safely.

## Process

### For wind gusts between 26mph and 35mph

- Only Professional Grade Gazebos or Structures will be allowed.
- Erecting/dismantling to take place under normal operating safe system of work.
- Adequate weights, or similar, must be used to secure your gazebo/structure.
- Trader vehicles will be allowed on site to act as a wind buffer.

### For wind gusts between 36mph and 40mph

- If wind gusts are predicted to be between 36mph and 40mph during set up/take down times this will be communicated to traders. The gazebos will be required to be cable tied to the vehicles, post, bollards or together to provide greater strength.

- Trader vehicles will be allowed on site to act as a wind buffer.

#### **Advice**

- For a 2m x 2m unit and larger, multiple weights should be placed on the four corners where wind gusts of 36mph to 40mph are predicted.
- Weights should be placed on the stall legs immediately after the stalls are expanded out, then legs should be raised.
- During dismantling weights should remain in place while the legs are lowered.
- Canopies are left untied when erecting/dismantling.

#### **For wind gusts more than 41 mph**

- No gazebos of any description will be erected.
- For the fruit and vegetable traders authorisation will be given to use their own tables due to the weight of the goods (flat trading).

#### **During the Market set up**

If setting up a gazebo by Market Officer or traders are likely to pose a risk to other traders or any members of the public, these operations must be stopped. The Market Officer has the authority to issue this instruction and the trader's must comply. The Market Officer will consider the best way forward and consult with the Town Clerk or Deputy Clerk if needed.

#### **Heavy snowfall and Extreme cold**

- If the snowy conditions make it dangerous for the market to open, the Market Officer will contact the Town Clerk or Deputy Clerk who will then decide a way forward. Met Office advance weather warnings may result in a future market not opening.
- The market and main footways are not cleared by Council personnel although the groundstaff will clear a safe access path. For markets to open or remain open, it may be necessary for the Market Officer to spread grit using the spreading equipment provided.
- the Market Officer will monitor snowfall throughout the day and make further clearances, if necessary. A store of grit salt is provided for Market Yard car park.
- As with high winds, Edenbridge Town Council officers can make the decision to close the market early.

#### **When closing the market due to snow and/or ice:**

1. There will be no requirement to grit the market area as it is not a functioning market. In this scenario it reverts to a pedestrianised highway, as the wider town centre.
2. If it is possible to grit the market area to re-open it, then this action should be taken in advance.

#### **Extreme heat**

The Market Officer should ensure that any trader selling regulation food is able to comply with Environmental Health guidelines for its storage.

It is the responsibility of the trader to establish if the market is open by contacting the Market Officer before the market opens.

#### **Pitch fees**

No fee will be charged if the market closes before 3 hours have elapsed. After that, normal fees apply.