

**Market Byelaws Working Party Final Report Consultation Response Summary**

**Appendix 1**

No.	Issue	Applies to these markets/comments				Applies to these market users		Model Byelaw No.	Non Byelaw Control Measures
		Bill'gate	Smith'd	SMTA	Spit'd	Tenants	Visitors		
1	Parking (in wrong place, poorly, inconsiderately, causing obstructions or traffic mgt problems, parking on site too long – i.e. lorries parking up for three nights.	Y	Y	Y	Y	Y	Y	4	<p><b>Tenants</b>                      Billingsgate -certain statutory road traffic/parking offences and enforcement arrangements are applied to market roads by S.5 City of London (Various Powers) Act 1987.                      Smithfield- traffic and parking restrictions can be made by the City in respect of roads in the City and enforced by the traffic authority using FPN's (S.6 Road Traffic Regulation Act 1984)</p> <p>Billingsgate Code of Practice                      Smithfield Working Manual</p> <p>Tenants Lease Terms</p> <p><b>Visitors</b>                      Exclude from site</p>
2	Waste (littering, dumping, not addressing, making things worse)	Y	Y	Y	Y	Y	Y	9	<p><b>Tenants</b>                      Smithfield – Fixed Penalty Notice</p> <p>Charges – City of London (Various Powers) Act 1963</p> <p>Billingsgate Code of Practice                      Smithfield Working Manual</p> <p>Tenants Lease Terms</p>

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									<b>Visitors</b> Smithfield – Fixed Penalty Notice  Exclude from site.
3	Smoking in buildings (making fires/strong explosives added by SMTA)	Y	Y	Y	Y	Y	Y	10	<b>Tenants</b> Smithfield – Fixed Penalty Notice  Billingsgate Code of Practice Smithfield Working Manual  Tenants Lease Terms  <b>Visitors</b> Smithfield – Fixed Penalty Notice  Exclude from site.
4	Over trading (produce in wrong places, buyers produce spread across the market inconsiderately, in wrong place, causing obstruction)	Y	Y	Y	Y	Y	Y		<b>Tenants</b> Charges – City of London (Various Powers) Act 1963  Billingsgate Code of Practice Smithfield Working Manual Spitalfields Over trading notice (under Various Powers Act)  Tenants Lease Terms
5	Storage of product (perhaps this is a duplication of the above, as tenants create problems and also buyers. Perhaps this is the better description for	Y	Y		Y	Y	Y		<b>Tenants</b> Charges – City of London (Various Powers) Act 1963  Billingsgate Code of Practice Smithfield Working Manual Spitalfields Over trading notice (under Various Powers Act)

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	senders/buyers, rather than over trading – but can apply to tenants also) – to also include storing other than approved produce								Tenants Lease Terms
6	Urinating, etc (spitting added by SMTA)	Y	Y	Y	Y	Y	Y		<b>Tenants</b> Charges – City of London (Various Powers) Act 1963  Billingsgate Code of Practice Smithfield Working Manual  Tenants Lease Terms  <b>Visitors</b> Exclude from site
7	Selling of produce, other products and transshipping ( – our tenants selling what they shouldn't and other visitors selling when they shouldn't)	Y	Y	Y	Y		Y		<b>Tenants</b> Billingsgate Code of Practice Smithfield Working Manual  Tenants Lease Terms  <b>Visitors</b> Exclude from site
8	Not following instructions of Constabulary/Superintendent/CoL staff (traffic management, H&S, smoking, waste)	Y	Y	Y	Y	Y	Y		<b>Tenants</b> Billingsgate Code of Practice Smithfield Working Manual  Tenants Lease Terms  <b>Visitors</b> Exclude from site
9	Trading hours (selling out of hours, picking	Y	Y		Y	Y	Y See	2	Tenants

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	up of goods outside of trading hours))						above	Billingsgate Code of Practice Smithfield Working Manual  Tenants Lease Terms	
10	Speeding on site and not following signage rules (FLT's and cars/vehicles)	Y			Y	Y	Y	<b>Tenants</b> Billingsgate -certain statutory road traffic/parking offences and enforcement arrangements are applied to market roads by S.5 City of London (Various Powers) Act 1987.  Billingsgate Code of Practice  Tenants Lease Terms  <b>Visitors</b> Exclude from site	
11	The taking of photographs and video images				Y		Y	<b>Visitors</b> Exclude from site	
12	Unauthorised entry to the site, when banned from the site			Y	Y	Y	Y	<b>Tenants</b> Tenants Lease Terms  <b>Visitors</b> Exclude from site – involving police if necessary.	
13	Driving a fork lift while suspended from the CoL FLT permit scheme				Y	Y	Y	<b>Tenants</b> Tenants Lease Terms	
14	Subletting/Sharing stands				Y	Y	Y	6,7 <b>Tenants</b> Tenants Lease Terms	
15	Children in the market	Y			Y	Y	Y	<b>Tenants</b> Tenants Lease Terms	

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16	Vehicle on site with an expired parking permit	Y			Y	Y	Y		<b>Tenants</b> Tenants Lease Terms  <b>Visitors</b> Exclude from site
17	Scavenging, touting, Collecting waste when not approved – i.e. cardboard, Unauthorised collection/removal of pallets				Y	Y	Y		<b>Tenants</b> Tenants Lease Terms  <b>Visitors</b> Exclude from site
18	Interfering with CoL property – i.e. fire exits, signs, fire hoses, etc.	Y			Y	Y	Y		<b>Tenants</b> Tenants Lease Terms  <b>Visitors</b> Exclude from site
19	Driving contrary to road making/sign – i.e wrong way down one way system	y			Y	Y	Y See above		<b>Tenants</b> Tenants Lease Terms  <b>Visitors</b> Exclude from site
20	Male using a female only toilet				Y	Y	Y See above		Tenants

*(Additional Byelaw issues raised by consultees)*

	<b>Issue</b>	<b>Consultee</b>	<b>Non Byelaw Control Measures</b>
21	Bill posting	Smithfield Market Tenants Association	<b>Tenants</b> Tenants Lease Terms <b>Visitors</b> Exclude from site
22	Causing Nuisance/Abusive language	“	<b>Tenants</b> Tenants Lease Terms <b>Visitors</b> Exclude from site
23	Being Intoxicated	“	<u>Same as 22 above</u>
24	Taking photographs	“	<u>Same as 11 above</u>
25	Eating/drinking other than in permitted areas	“	<b>Tenants</b> Billingsgate Code of Practice Smithfield Working Manual Tenants Lease Terms  <b>Visitors</b> Exclude from site
26	Banning use of electrical equipment by untrained members of the public	UNITE	<b>Visitors</b> Exclude from site –if issue contrary to site rules.
27	Banning the use of stolen supermarket trollies	UNITE	Theft – report to police

28	No dogs or live animals	SMTA	<b>Tenants</b> Tenants Lease Terms  <b>Visitors</b> Exclude from site
29	Carriers to be insured and qualified	UNITE	Exclude from site –if the issue is contrary to site rules
30	Not to permit riding a bicycle within the Market	SMTA	Same as 22.
31	No lighting a fire or keeping explosives or flammable materials	SMTA	Same as 3
32	Proceed with due caution while carrying a load or using vehicle, truck etc	SMTA	Same as 10

**Notes:**

The Spitalfields Tenants Association while not promoting any issues for byelaws, reviewed issues 1 to 20 above. They objected or felt it unnecessary to have byelaws for issues 3,4,5,6,8,9 and 14 but were content if byelaws were put in place in respect of the other issues.