

SWAFFHAM TOWN COUNCIL

Minutes of the Market Committee Meeting held on Thursday 19th January 2006 at 7.00p.m. in the Council Chamber, Town Hall, Swaffham.

Present: Cllr. B Emmerson (in the chair)

Councillors: Cllr. P Darby, Cllr. A Greaves, Cllr. S Lister, Cllr. J Stockdale.

Traders Representatives: Mr T Bell, Mr D Hackett, Mr M Wells.

Trader: Mr Capleton

Town Clerk: Mr R Bishop

Assistant Town Clerk: Mrs R Noble

1. APOLOGIES FOR ABSENCE

1.1. Cllr. I Sherwood.

1.2. Mr Keeling (Trader)

2. DECLARATIONS OF INTEREST

2.1. There were no Declarations of Interest.

3. REPORT from the MARKET SUPERINTENDENT.

3.1. Following an incident on Swaffham Market on Saturday 7th January 2006 the Market Superintendent reported it had been drawn to his attention that a scuffle was taking place on the central market area. He found an older man holding an iron bar and it was obvious that Mr Capleton had been hit in the face with it, the older man said that he took the iron bar away from a young lad who had used it.

The Market Superintendent called the Police, but after a while Mr Capleton decided he did not want to press charges against the young lad but settled on a compensation deal.

Mr Keeling the Licensee of the stall from which the iron bar was used was not present on the stall this day.

4. REPORT from the TOWN CLERK

4.1. The Town Clerk reported the Market Superintendent had reported this incident to him on Monday 9th January and he issued a letter informing both traders of the breach in the Market Rules & Regulations. Councillors have already had copies of these letters, the three Market Representatives were given copies this evening.

On Wednesday 11th January the Town Council made a decision to suspend the two traders concerned pending a decision to be made at the Market Committee meeting this evening. It was decided to summons both traders to the meeting and to give delegated authority to the Market Committee to act. It is done in this way to allow the Town Council to act in the event of an appeal against any decision taken this evening.

It was reported that following a discussion the Town Clerk has had with the Market Superintendent the following options open to the committee are as follows:-

Page 242

- 1) Do nothing.
- 2) Suspend the traders for a further period of time.
- 3) Move either or both of the traders from their current site.
- 4) Warn the traders as to their future conduct.
- 5) Remove market rights on a temporary basis.
- 6) Exclude individuals from working on market stalls.
- 7) Remove licence from either or both traders.
- 8) Fine either or both market traders.

It was suggested any decision made by the Committee can include a combination of these options or alternately the Committee may have an option not on that list.

5. REPORT from TRADER

5.1. Mr Capleton gave a report regarding an incident on Swaffham Market on Saturday 7th January, involving a trailer belonging to another stall holder which was parked on his stall while they were setting up their stall. They failed to remove the trailer when asked this then resulted in an argument followed by Mr Capleton being attacked with an iron bar by a young lad from the fruit stall.

Mr Capleton reported the other trader agreed to a compensation deal and later in the day when he paid they both shook hands on it. Mr Capleton stated he informed the Police he did not want to press charges against the young lad.

Mr Capleton was then asked to leave the meeting and was informed that he would be informed of the decision taken by the Committee the next day.

5.2. The other trader gave apologies for not attending the meeting but sent in his report of the incident.

6. TO CONSIDER & AGREE HOW TO RESOLVE THE ISSUE

6.1. Following a discussion, and after careful consideration Councillor J Stockdale proposed and Councillor S Lister seconded and it was unanimously agreed to go with the following recommendation:

- 1) To retain both traders in their current position.
- 2) To suspend both traders for this coming Saturday 21st January 2006.
- 3) To issue a fine of £100 for each trader, this is to cover administration costs for this meeting, including additional correspondence etc and subsequent information gathering.
- 4) To ban the youngest Keeling son (who wielded the iron bar) for a period of two years from attending or working Swaffham Market.
- 5) To warn both traders as to their future conduct at Swaffham Market, to make it clear that no form of intimidation or abuse will be tolerated. This is verbal or physical. That if there is any formal complaint made, then the matter will be referred at the earliest opportunity to the Town Council for the immediate removal of their market licence.

This is considered to be the best option in the interests of the long term stability of the market as a whole. The latter is far more important than the individual disagreement between the two traders concerned. It is important to get the balance

Page 243

right by putting the incident into context and sending out the right message to the remainder of the market and the general public.

After careful consideration Councillor J Stockdale proposed and Councillor S Lister seconded and it was unanimously agreed to go with the following recommendation:

- 6) To retain both traders in their current position.**
- 7) To suspend both traders for this coming Saturday 21st January 2006.**
- 8) To issue a fine of £100 for each trader, this is to cover administration costs for this meeting, including additional correspondence etc and subsequent information gathering.**
- 9) To ban the youngest Keeling son (who wielded the iron bar) for a period of two years from attending or working Swaffham Market.**
- 10) To warn both traders as to their future conduct at Swaffham Market, to make it clear that no form of intimidation or abuse will be tolerated. This is verbal or physical. That if there is any formal complaint made, then the matter will be referred at the earliest opportunity to the Town Council for the immediate removal of their market licence.**

6.2. A discussion took place regarding the traders being informed of the decision made at this meeting. It was unanimously agreed for the Town Clerk to contact both Traders on Friday 20th January to inform them of this decision and informing them they had 7 days to appeal, an appeal would be on the next agenda for the Full Town Council meeting and that the decision made at that meeting would be final.

It was unanimously agreed for the Town Clerk to contact both Traders on Friday 20th January to inform them of this decision and informing them they had 7 days to appeal, an appeal would be on the next agenda for the Full Town Council meeting and that the decision made at that meeting would be final.

6.3. It was suggested and agreed as this was a vicious assault that a letter is sent to the Chief Constable and copied to Dereham Police relating to the outcome of the incident.

The Town Clerk was instructed to send a letter to the Chief Constable and copied to Dereham Police relating to the outcome of the incident.

Meeting Closed at 7.50pm

Chairman_____