



APPENDIX A

Leighton Buzzard Market Adverse Weather Policy

Introduction

The Town Council's intention is to preserve the opportunity for market traders to trade. For circumstances outside of the Town Council's control, there may be times when alternative trading arrangements are necessary in order to allow trading activity to take place albeit on a reduced scale. **At such times, traders will be required to comply with the Town Council's instructions. A failure to do so will mean that a trader is wilfully acting outside of the scope of this policy and is doing entirely at their own risk.**

The Town Council will maintain its right to close or cancel the market at short notice and at its absolute discretion if it is considered necessary on the grounds of public safety. This includes "acts of God", terrorism, flood, unexpected highway maintenance and weather conditions considered too severe to safely trade.

Adverse Weather Conditions

The Town Council monitors all weather conditions on a market-by-market basis including adverse and severe warnings for rainfall, snow, ice and high winds. The decision to operate alternative trading arrangements, cancel or close the market, will be taken when the predicted or actual weather conditions are considered to **present too high a risk of harm to the public, trader and council staff (stall erectors) or damage to equipment or surrounding properties.**

The Town Council monitors the Met Office's colour coded weather warnings as well as the Beaufort Scale for marine forecast (an empirical measure for describing wind intensity) to understand the impact of wind speeds, (see figs.1 & 2 below).

In making the decision to operate alternative trading arrangements, cancel or close the market, the Town Council's approach is to:

- Ensure the safety of the public, traders and council staff
- Ensure that decisions for the market are managed in a fair and consistent manner
- Undertake the management of the market with due diligence upkeeping the Town Council's responsibilities and liabilities working reasonably within legislative and insurer's advisory parameters

The Town Council's Approach



The presumption remains that wherever possible, the Town Council wishes to preserve the opportunity for market traders to trade.

Operational decisions on whether or how to operate the market will be at the discretion of the Market Manager or their representative based on Met Office forecasts and Beaufort Scale guidance.

Severe weather conditions

Should the weather conditions deteriorate to the point where the Town Council believes it is no longer safe to carry on trading, all traders will cease to trade immediately upon notice from the Town Council with no exceptions. This will usually apply where a red weather warning has been issued. This is known as the Severe Weather Policy.

Amber weather warning

Should an amber weather warning for high winds or severe gusts be forecast for the day of trading for example, the following provisions will be applied;

- No gazebos/town council owned structures will be erected.
- Traders will have the choice as to whether they decide to attend or not. Should traders decide not to attend, they will not be charged for missing a market trading day.
- For those traders that do attend, they will have the choice as to whether they trade from a vehicle or tabletop as both methods of trading are considered of a lesser risk when compared to trading from beneath a temporary structure such as a gazebo or similar.
- Under these conditions, the Market Manager or their representative, will at their discretion introduce a revised market layout based on which traders may wish to attend.
- The market may not be serviced in the usual way albeit contingency arrangements may be put in place that may require the traders to either take their rubbish away or dispose of it in the market bins which may be in an alternative secure position.
- The decision to provide Town Council owned tables will be at the discretion of the market manager and will be subject to the weather conditions of the day.

This is known as the Inclement Policy. Where possible, market traders will be issued with at least 48 hours' notice of the Inclement Policy being applied before the market is due to take place.

What happens should a trader decide to ignore the Severe Weather Policy or the Inclement Policy and continue to erect their own structure?



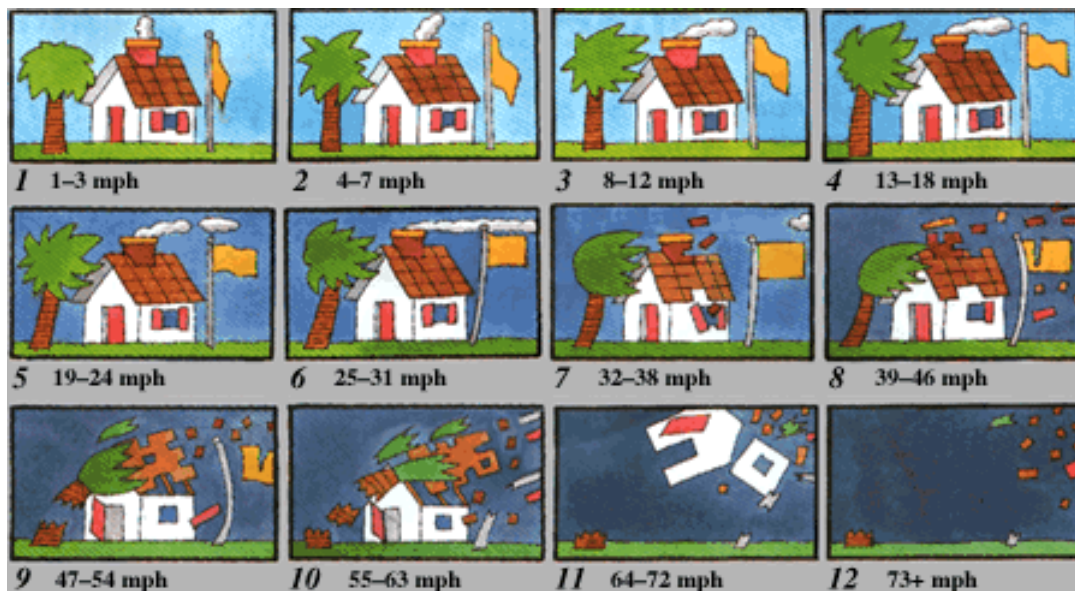
The Town Council had made its position clear on this matter. Should traders decide to disregard the Severe Weather Policy or the Inclement Policy, this will be entirely at their own risk. By doing so, they are acting outside of the Adverse Weather Policy and will not be recognised as market traders on those days. The insurance industry recommends that the market trader has at least £15 million pounds of cover. A failure to have the appropriate level of insurance cover will again be at the trader's own risk. Traders must satisfy both themselves and their insurance provider that their decision to ignore the Adverse Weather Policy will not compromise any insurance cover they believe they have in place.

All traders will be presented with a disclaimer which they are expected to sign. A failure to sign the disclaimer (See Appendix B) does not however mean that the trader is exempt from the Adverse Weather Policy. This policy is binding on all who trade on the market.

Payment Schedule

On such occasions that the Town Council decides to apply the Adverse Weather Policy, the trading fees for that day will be reduced to 40% of normal market rent. Those who disregard Severe Weather Policy or Inclement Policy are not recognised and will therefore not be charged a fee.

Pictorial Beaufort Scale (Fig.1)



(Fig. 2)



A Scale for Rating Wind Strength, based on the Beaufort Scale

Force	Speed range (mph)	Effect on you	Effect on surroundings	Effect on lake surface	Effect on fresh snow
0 – calm	Less than 1	None	Smoke rises straight up	Flat	None
1 – light air	1-3	None	Smoke drifts	Ripples	None
2 – light breeze	4-7	Felt on exposed skin	Leaves and grass rustle	Small wavelets, but none breaking	None
3 – gentle breeze	8-12	Hair ruffled, loose clothing flaps	Leaves and small twigs constantly moving	Larger wavelets; some breaking	A little drift near surface
4 – mod. breeze	13-18	Hair disarranged	Small branches move; loose dry grass picked up	Small waves form; some white horses	Large drifting
5 – fresh breeze	19-24	Walking inconvenienced	Small trees begin to sway	Many white horses; some spray	Widespread drifting
6 – strong breeze	25-31	Steady walking difficult	Large branches move	Crests form; more spray	Some blowing over head height
7 – near gale	32-38	Walking with great difficulty	Whole trees move	Moderate waves; much spray	Blowing in clouds above head height
8 – gale	39-46	Walking dangerous	Twigs breaking from trees	Foam in streaks along wind	Dense blowing clouds
9 – severe gale	47-54	Blown over, crawling difficult	Branches break; small trees blow over	Dense foam	
10 – storm	55-63	Progress impossible, even by crawling	Some trees uprooted; structural damage		
11 – violent storm	64-73		Many trees uprooted; widespread damage		
12 – hurricane	74 and above		Severe widespread damage		

Table illustrating the effect of wind speed on people and environment from Pedgely, Mountain Weather, taken from work done in Japan.