

Public Realm

Markets and Street Trading Risk Assessment

1. Markets in Newham

Newham operates two indoor and seven outdoor locations as street trading locations, three markets are located in Stratford, two in Upton Park, two in East Ham, one in Forestgate and one in Plaistow. The goods sold include fresh fruit and veg, fish, meat, clothing, jewellery, bedding, footwear, fabrics, haberdashery, flowers, toys, lingerie, perfumes, sweets, hot food and CD's.

LOCATION	TRADING DAYS
Queens Market (Covered)	5 days Tues, Thru, Fri, Sat, (Sun casual)
Queens Square	6 days Tues, Wed, Thru, Fri, Sat, (Sun casual)
Stratford Indoor	7 days Mon, Tues, Wed, Thru, Fri and Sat,(Sun casual)
Stratford Outside	6 days Tues, Wed, Thru, Fri and Sat,(Sun casual)
The Grove	5 days Tues, Wed, Thru, Fri and Sat
Woodgrange Road	1 days Sat
Pilgrims Way	5 days, Tues, Wed, Thru, Fri and Sat
Kelland Road	6 day (All days except Sun)
High Street North	6 day (All days except Sun)

1.1. Market sites

1.2. Licensing and Powers

All markets operate under the London Local Authorities Act 1990 (as amended). Licences are granted under the act and renewed annually, subject to payment of a licence fee and may reflect one or more pitches. Any variation to the conditions of trading under the licence, such as location and type of goods sold, can be changed under the following regulations.

Regulation 4.5: (Emergency ceases trading)

In the event of an **emergency**, or in the exercise by the Council of any of its powers and duties a licence holder, or his assistant(s), must immediately **remove his stall and goods for as long as necessary** if required to do so by a duly authorised officer of the Council or a Police Officer.

Regulation 14: (Position)

14.1 The trader shall trade only from the position which is indicated on the licence unless otherwise directed by an officer of the Council. **The Council reserves the right to suspend any pitch and allocate an alternative pitch if one is available.** The Council will provide written notice to the licensee, however **where suspension is due to an emergency Notice will be given within a reasonable period** of such suspension taking place.

14.2 Where no alternative pitch is available the trader will cease trading and remove his stall and goods from the market immediately if directed to do so by an authorised officer of the Council or a police officer. In these circumstances the Council shall at its discretion pay a rebate of fees to the permanent trader based upon a rental sum for the period of such unavailability.

Any changes to the license would be subject to a 21-day notice period.

The council can also take action against traders who fail to comply with social distancing using the Health Protection (Local Authority Powers) Regulations 2010. This empowers the council to send letters under Regulation 8, requesting co-operation for health protection purposes.

All markets operate with the consent of the Highways Authority and any assessment for a market space will need to have regard to the needs of the Highways Authority for safe routes of access to the carriage way and footway.

2. Covid-19 Restrictions

The Government has restricted trading of certain businesses under The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020. All retail premises except those exempted cannot trade. Exemptions include selling food or homeware etc., and outdoor markets selling food.

Currently in LB Newham only food and essential items are being sold and we have decided that there will be no adjustments to the commodities attached to a licence during the period of this risk assessment – 3 months.

The Government has announced that restrictions on open air markets will be eased as from 1 June 2020, although no guidance is available at the time of drafting this note, and no definition of an open air market has been provided. Markets licensed to operate on the highway are likely to fall under the definition of being open air markets. Queens Market and Stratford Indoor market both operate on the highways although indoors/covered.

As restrictions are eased the Council as Licensing Authority will need to ensure that all premises remain compliant with trading restrictions and that all licenced stalls are safe to open. This includes specific evidence that market operations do not pose a risk of spread of infection to those working at or visiting our locations.

Retail is also covered through the Health and safety at Work etc. Act 1974 and regulations made under the Act, and the local authority is the enforcing authority for retail outlets. Under the Management of Health and Safety at Work Regulations 1999, each stall holder is required to identify what could cause injury or illness, establish the risk and take steps to mitigate it.

3. Covid-19 Risk Assessment

The Council has undertaken a site risk assessment for all licensed locations, these are appended as Appendix 1.

The Council has identified that the two main hazards are infection by airborne transmission and by contact, usually from hands to face. The sources of infection will in most cases be from a person shedding the virus attending the market. There is also the potential for transmission by items brought to the market, particularly on hard surfaces.

The mitigation measures available are in line with the Governments guidance on

- 1. Isolating people who are potential source
- 2. Protecting vulnerable groups
- 3. Hand washing
- 4. Enhanced cleaning
- 5. PPE
- 6. Social Distancing

For each Trader they will be required to agree with the Market Manager a written safe system of work for their stall(s) covering the mitigation methods in this plan. A significant failure to abide by the safe system of work will lead to a suspension of trading and possibly the revocation of their licence to trade.

It is expected that this risk assessment will be for 3 months starting 1st June 2020.

3.1. Hazard Mitigation

3.1.1. Isolation Measures

Measures will follow the Governments guidance 'Stay at home: guidance for households with possible coronavirus (COVID-19) infection'

https://www.gov.uk/government/publications/covid-19-stay-at-home-guidance/stay-at-home-guidance-for-households-with-possible-coronavirus-covid-19-infection

Traders

• All traders will be required *(intervals*) to certify that they have followed government guidance in relation to isolation

Market Staff LBN –

 The Markets Manager has been issued with guidance on the isolation of staff in accordance with Government requirements. All staff are key workers and able to utilise the Governments testing arrangements where they are well and return to work is possible.

Customers

 Customers will be advised that they should not attend a market where they should selfisolate

3.2. Protecting Vulnerable Groups

Measures will follow the Governments 'Guidance on shielding and protecting people who are clinically extremely vulnerable from COVID- 19'

https://www.gov.uk/government/publications/guidance-on-shielding-and-protecting-extremelyvulnerable-persons-from-covid-19/guidance-on-shielding-and-protecting-extremely-vulnerablepersons-from-covid-19

Traders

• All traders and those that they employ will be required to certify that they are abiding by the governments guidance on shielding of vulnerable groups.

LBN Staff

• The Markets Manager has been issued with guidance on the isolation of staff including those at increased risk accordance with Government requirements.

Customers

- The Council has a communication plan for all residents that promotes key Government messages
- No additional mitigation is possible, although the Council will keep under review the option for restricting trading times for vulnerable at Queens Market.

3.2.1. Hand washing

Traders

- Outdoor traders will be required as part of their safe system of work to supply hand washing or hand sanitiser at their stalls for personal use during trading day.
- All traders will be encouraged to reduce cash handling and asked to provide alternative cashless payment methods such as card readers
- Regular information provided reminding all staff of the importance of following the government guidelines
- Welfare facilities available to all staff
- Notices around the Market reminding of the guidance on symptoms and precautions

Customers

- Indoor Markets We will deploy mobile hand sanitising units across indoor market sites
- Street markets no additional mitigation is possible

3.2.2. Enhanced Cleaning

Measures will follow the Government's guidance on 'COVID-19: cleaning of non-healthcare settings'. This guidance includes the PPE requirements, cleansing methods and disposal of waste.

https://www.gov.uk/government/publications/covid-19-decontamination-in-non-healthcaresettings

Traders

- Will need to provide a safe system of work on how they will keep their pitch and the immediate surrounding area free from waste and litter.
- Traders will also as part of their safe system of work identify how they will keep equipment such as cash registers to be regularly cleaned throughout the working day.

Market Staff LBN

- o Indoor Markets deep cleaned regularly on non-market days
- o Frequent clean of high use contact points at indoor markets

Customers

• No additional mitigation is possible

3.2.3. Personal Protective Equipment

Traders

- Traders and assistants to be encouraged to wear face coverings where social distancing is difficult
- LBN Staff Face coverings and gloves to be worn at all times
- Customers no additional measures but messages on use of face covering may be encouraged

3.2.4. Social Distancing

The Council has also used the National Association of British Markets guidance on Social Distancing to develop its mitigation measures. See Appendix 2.

Note [Withdrawn] Guidance on social distancing for everyone in the UK

The Council has undertaken a site risk assessment for every markets and stall location and assessed the potential for social distancing at each location. The assessment for each location will be subject to the consent of the Highways Authority and its assessment of the needs for space and safe passage.

The following principles will be applied to maximise the operating space for each market.

- There will be no casual trading at any market for the duration of this risk assessment.
- Traders need to be able to retain social distance from customers, this includes when refreshing their stalls and for customer transactions. Where appropriate, a perimeter to each stall will be created to regulate this distance.
- In locations with a permeable perimeter such a street markets, queuing and transit routes will be physically separated to allow for social distancing.
- No bikes will be allowed within the market.
- Stall holders will be expected to move customers on quickly
- No stall will be permitted to sell food or drink for immediate consumption and in indoor markets no consumption of food or drink by customers will be permitted.

 Regular messages will be available to customers through signage and for indoor markets using a loudspeaker system to encourage customers to maintain social distance and complete their shopping quickly.

Where risk assessment requires additional operating space, the council will either look to expand the open air market locations or restrict the number of traders. Expansion will be subject to the agreement of the Highways Authority and local consultation. Where the Council needs to restrict the numbers of traders at any one time we will as far as possible look to extend the number of trading days, and provide alternative trading locations.

3.3. Indoor Markets

There are two markets normally operated that are under cover or indoor. Stratford and Queens Market.

3.3.1. <u>Stratford Indoor Market</u>

This market has been closed and relocated as an open air market allowing greater space for its operation.

- **3.3.2.** <u>Queens Market</u> This market is a covered market with multiple access points. The space is shared with a number of unlicensed shops and kiosks. Because of the normally high volumes of customers and restricted space social distancing will require additional steps to mitigate the risks of transmission. Two options have been considered.
- Close the highway during market trading and adopt a perimeter and control the numbers circulating based on a 2.2m square space per person. Queues per stall to be marked at social distance of 2m. This is the preferred solution.
- Retain the current permeable perimeter with queues per stall to be marked at social at a distance of 2m. Because there will be a potentially higher level of customers, the layout will need to accommodate sufficient space to allow the transit of customers away from the queues, possibly through a one way circuit. This additional spacing will require a greater reduction in the number of traders; and will require additional marshalling and physical separation, and is therefore not the preferred alternative.

4. Criteria for rationing trading activity

Where there is a requirement to reduce the number of trading days available per trader it will be based on the following prioritisation:

- Priority one food and essential goods (in accordance with Governments exempted trading rules)
- Priority two Length of licence holding
- Priority three single stall holders before multiple

See below for expected number of licensed traders per market

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Assessors Na	Assessors Name: David Humphries		Date of A	Date of Assessment: 24/07/20			Activity/Task: Operating Queens Market			
Directorate: Environment & Sustainable Transport		Service:	Service: Markets			Public Realm Recommendation: Proceed Highways Decision: TBC				
Hazards	Who may be harmed & How	Existing Contr	rols	Risk Rating	Further Controls	Residua Risk	Actions by whom & when	Implemente Y/N		
Transmission of Covid - 19 virus between Shoppers, traders and staff members during market operating times In Queens Market if Central Government lift trading restrictions	Traders, visitors and market staff	How raders, visitors and market Limited social distancing markings		Likelihood:4 Consequence:5 Risk Level: Unacceptable	Reduce number of traders inside market Set social distance from sta stall Ensure no obstructions Limit time spent in market b Shoppers Full social distancing partitit Full social distancing markit Regular deep clean of site of of hours) Frequent clean of high use contact points Compulsory wearing of face mask and gloves inside the market No self-service of goods No returns Revert back to controls in F 05/05/20 if social distancing compromised due to high numbers of shoppers.	Risk Level: Adequate	Ce:5 Managers			
Review date:	ТВС			Date communio	cated to staff:		•	•		
ls a safe systen	n of work require	ed Yes / No								

Assessors name: David Humphries Directorate: Environment & Sustainable Transport			Date of Assessment: 05/05/20 Service: Markets			Activity/Task: Operating Queens Square Public Realm Recommendation: Do Not Proceed Highways Decision: TBC			
		Service:							
Hazards	Who may be harmed & How	Existing Cor	ntrols	Risk Rating	Further Controls		Residual Risk	Actions by whom & when	Implemented Y/N
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Review date:	ТВС			Date communi	icated to staff:				
-	m of work required	Yes / No			ment must be reviewed of				

Assessors na	Assessors name: David Humphries		Date of As	ssessment: 05/0	5/20	Activity/Task: Operating Stratford Indoor Market			
Directorate: Environment & Sustainable Transport		Service: N	Service: Markets			Public Realm Recommendation: Proceed Highways Decision: TBC			
Hazards	Who may be harmed & How	Existing Con	trols	Risk Rating	Further Controls		Residual Risk	Actions by whom & when	Implemented Y/N
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Review date:	ТВС	1		Date communica	ited to staff:		1	1	
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Assessors nar	Assessors name: David Humphries		Date of	Assessment: 05/0	Activity/Task: Operating Stratford Outdoor Market			
Directorate: Environment & Sustainable Transport		Service	: Markets	Public Realm Recommendation: Proceed Highways decision: TBC				
Hazards	Who may be harmed & How	Existing Contr	rols	Risk Rating	Further Controls	Residual Risk	Actions by whom & when	Implemented Y/N
Transmission of Covid - 19 virus between Shoppers, traders and staff members during market operating times In Stratford Outdoor Market if Central Government lift trading restrictions	Traders, visitors and market staff	Limited social distancin markings Limited social distancin partitions Staff observing social d Hand washing facilities to staff Any staff exhibiting sym contracting the virus to supervisor and <u>not</u> to re work. Government guidance isolation to be supplied followed by all staff. Staff required to travel to be issued with 'letter fo workers' (by their mana	ig listancing available ptoms on inform eport to on self- to and to work to r key	Likelihood:4 Consequence:5 Risk Level: Unacceptable	Reduce number of traders Set social distance from s to stall Control access to stalls One way system to contro shoppers movements Ensure no obstructions Limit time spent at stall by Shoppers Full social distancing partitions Full social distancing markings Frequent clean of high use contact points No self-service of goods No returns	all Consequence:3 Risk Level: Adequate	Service Managers immediate	

Review date:	ТВС	Date communicated to staff:
Is a safe system of	work required	Yes / No
If a new activity/ec	quipment/any chang	es have been identified then Risk Assessment must be reviewed otherwise it should be reviewed annually.

Assessors n	Assessors name: David Humphries		Date of Assessment: 05/05/20 Activity/Task: Operating Ke Market				ating Kellar	nd Road	
Directorate: Environment & Sustainable Transport		Service:	Service: Markets			Public Realm Recommendation: Proceed Highways Decision: TBC			
Hazards	Who may be harmed & How	Existing Cont		Risk Rating	Further Controls	Ū	Residual Risk	Actions by whom & when	Implemented Y/N
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BC	Date communicated to staff:
Yes / No	
have been identified	then Risk Assessment must be reviewed otherwise it should be reviewed annually.
	Yes / No

Assessors name: David Humphries	Date of Assessment: 05/05/20	Activity/Task: Operating Woodgrange Market
Directorate: Environment & Sustainable Transport	Service: Group: Markets	Public Realm Recommendation: Proceed
		Highways Decision: TBC

Hazards	Who may be harmed & How	Existing Controls	Risk Rating	Further Controls	Residual Risk	Actions by whom & when	Implemented Y/N
Transmission of Covid - 19 virus between Shoppers, traders and staff members during market operating times In Woodgrange Road Market if Central Government lift trading restrictions	Traders, visitors and market staff	TBC	Likelihood:0 Consequence:0 Risk Level: TBC	Set social distance from stall to stall Control access to stalls One way system to control shoppers movements Ensure no obstructions Limit time spent at stall by Shoppers Full social distancing partitions Full social distancing markings Frequent clean of high use contact points No self-service of goods No returns	Likelihood:1 Consequence:4 Risk Level: Adequate	Service Managers immediate	

Review date:	ТВС	Date communicated to staff:
Is a safe system of work required	Yes / No	
If a new activity/equipment/any changes ha	ve been identified	then Risk Assessment must be reviewed otherwise it should be reviewed annually.

Assessors name: David Humphries	Date of Assessment: 05/05/20	Activity/Task: Operating Pilgrims Way Market
Directorate: Environment & Sustainable Transport	Service: Markets	Public Realm Recommendation: Proceed Highways Decision: TBC

Hazards	Who may be harmed & How	Existing Controls	Risk Rating	Further Controls	Residual Risk	Actions by whom & when	Implemented Y/N
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Review date:	ТВС	Date communicated to staff:
Is a safe system of work required	Yes / No	
If a new activity/equipment/any changes h	ave been identified t	hen Risk Assessment must be reviewed otherwise it should be reviewed annually.

Assessors name: David Humphries	Date of Assessment: 05/05/20	Activity/Task: Operating High Street North Market
Directorate: Environment & Sustainable Transport	Service: Markets	Public Realm Recommendation: Proceed
		Highways Decision: TBC

Hazards	Who may be harmed & How	Existing Controls	Risk Rating	Further Controls	Residual Risk	Actions by whom & when	Implemented Y/N
Transmission of Covid - 19 virus between Shoppers, traders and staff members during market operating times In High Street North Market if Central Government lift trading restrictions	Traders, visitors and market staff	Limited social distancing markings Limited social distancing partitions Staff observing social distancing Hand washing facilities available to staff Any staff exhibiting symptoms on contracting the virus to inform supervisor and <u>not</u> to report to work. Government guidance on self- isolation to be supplied to and followed by all staff. Staff required to travel to work to be issued with 'letter for key workers' (by their manager).	Likelihood:4 Consequence:5 Risk Level: Unacceptable	Set social distance from stall to stall Control access to stalls One way system to control shoppers movements Ensure no obstructions Limit time spent at stall by Shoppers Full social distancing partitions Full social distancing markings Frequent clean of high use contact points No self-service of goods No returns	Likelihood:1 Consequence:4 Risk Level: Adequate	Service Managers immediate	

Review date:	ТВС	Date communicated to staff:
Is a safe system of work required	Yes / No	
If a new activity/equipment/any ch	nanges have been identif	ied then Risk Assessment must be reviewed otherwise it should be reviewed annually.

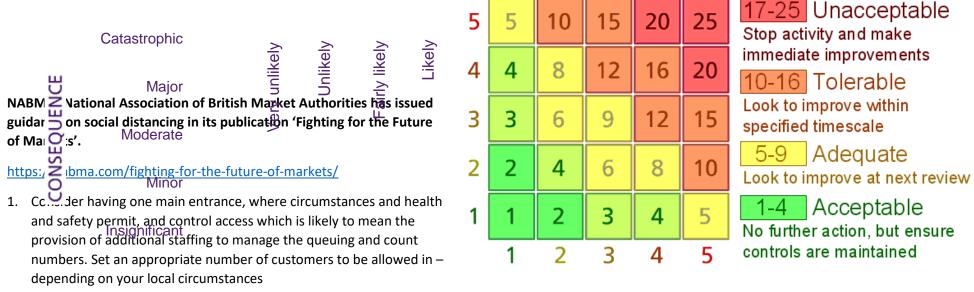
Assessors name: David Humphries	Date of Assessment: 05/05/20	Activity/Task: Operating The Grove Market
Directorate: Environment & Sustainable Transport	Service: Markets	Public Realm Recommendation: Proceed Highways Decision: TBC

Transmission of Covid - 19 visitors and market staffCurrently not tradingLikelihood:0Set social distance from stall to stallLikelihood:1Service ManagersShoppers, traders and staff members during market operating times In The Grove Market if Central Government lift trading restrictionsCurrently not tradingLikelihood:0Set social distance from stall to stallLikelihood:1Service ManagersNo self-service of goodsConsequence:0Control access to stallsConsequence:5Consequence:5No set social distance from stall to stallRisk Level: AcceptableNo self-service of goodsNo self-service of goodsNo self-service of goodsSet social distance from stall to stallLikelihood:1Service Managers & FM immediate	Hazards	Who may be harmed & How	Existing Controls	Risk Rating	Further Controls	Residual Risk	Actions by whom & when	Implemented Y/N
No returns	of Covid - 19 virus between Shoppers, traders and staff members during market operating times In The Grove Market if Central Government lift trading	visitors and	Currently not trading	Consequence:0 Risk Level:	stall Control access to stalls One way system to control shoppers movements Ensure no obstructions Limit time spent at stall by Shoppers Full social distancing partitions Full social distancing markings Frequent clean of high use contact points No self-service of goods	Consequence:5 Risk Level:	Managers & FM	

Review date:	ТВС	Date communicated to staff:
Is a safe system of work required	Yes / No	
If a new activity/equipment/any changes h	ave been identified	then Risk Assessment must be reviewed otherwise it should be reviewed annually.

Risk Matrix

The matrix below is designed to help you in identifying a risk level for a given task or activity. Using your experience, the available evidence and existing precautions/ control measures in place you will have already determined the consequence of harm, and the likelihood of the harm being realised. The level of risk for the respective task or activity can now be determined using the following matrix.



- 2. It is unlikely that a one-way customer system would work so this will mean customers queuing outside regardless of the products they want surface spacing marking for social distancing will then be required
- 3. Use in house announcement systems (where available) to frequently remind customers of the need for distancing.
- 4. While queuing is likely to be required, some people might be reluctant to accept this essential measure, so it is important that adequate resources are available through the market to assist as required.
- 5. Close market public toilets and keep open trader toilets only.
- 6. Consider restricted shopping hours for NHS/essential workers/older people/ vulnerable groups but only implement if you can effectively manage such an arrangement. You will not need to check everyone's ID but access will have to be carefully managed.

- 7. In addition to traditional customer service, to accelerate 'click and collect'/ online ordering and the introduction of a shopper permit system to enable customers to book time slots.
- 8. Encourage and support traders to develop online businesses.
- 9. Introduction of some personal responsibility measures like masks and or gloves customers/traders? Depending on the issue of further government advice it might be necessary to provide a supply of face masks for both traders and shoppers using the market.
- 10. Ensure enhanced cleaning regimes can be provided.
- 11. Provide at main entrance, and elsewhere in the market, sanitisers for the public use.
- **12.** Provide signs to encourage people to use them.