



Halton Borough Council

**Market
Charging Policy**

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1.0 Widnes Market Hall

1.1 Opening Days and Hours

Widnes Market Hall is a five day market, which is closed on Tuesdays and Sundays. The opening hours are 9am to 5pm.

The market is closed on Bank Holiday Mondays, but opens on Good Friday. Additional Christmas opening days and hours are usually agreed during October each year after consultation with traders, but typically involve opening the market seven days a week for a period leading up to Christmas Eve followed by days when the market is closed.

There may also be occasions where the market opens for extra themed days or promotional events. Traders will be notified of these in advance.

Stalls within the Market Hall are expected to be open at all times when the market is open.

Although Tuesday is not a trading day, traders do have full access to the Market Hall on this day for stall maintenance and re-stocking between the hours of 9am and 4.45pm. Outside of these hours, traders must notify the market office staff of any additional access required for emergency purposes and a decision about whether this is possible will be made by the Market Officer.

1.2 Eligibility to Rent a Stall

All applications to rent stalls within the indoor Market Hall should be made to the Widnes Market office. Where an application is for a product or service which is not currently offered on the market, then a decision relating to whether this product can be sold/offered on the market can be 'fast tracked' enabling a decision to be made within two weeks. All other applications for indoor stalls are considered at the Markets Panel meetings which take place approximately every 4 weeks. In order to protect existing businesses within the Market Hall new stalls will not be allowed to open between 1st November and 31st December.

Where an application is successful, various pieces of identification will need to be provided by the applicant before they can commence trading. This includes: public liability insurance (insured to the sum of £5 million), three pieces of identification to include one item showing the name and home address of the applicant dated within the past 3 months, one item with photo ID and an item of identification showing the applicant's national insurance number, evidence of a traders eligibility to work in the U.K. will also be required. Applicants will also be required to sign a Tenancy at Will which will set out the terms and conditions of the agreement and will list the commodities/services they are able to sell/offer from their stall.

Where traders intend to sell products which are bound by Environmental Health regulations, Food Standards Agency regulations or other regulatory bodies, approval must be obtained by the Trader from the appropriate body prior to be able to commence trading.

No stalls will be rented to claims management companies i.e. businesses that handle claims for compensation in relation to personal injury, financial products/services (such as miss-sold payment protection insurance), employment matters, criminal injuries, industrial injuries, disablement benefit and housing disrepair.

1.3 Stall Rents

All Market Hall stall rents take into consideration the likely opening days and times across a year. This means that no additional charges are made if the Market Hall opens on additional days and likewise no compensatory payments are given if the Market Hall closes on a normal trading day.

All stall rents will be reviewed annually.

All new traders must pay Market Hall stall rents by direct debit.

a. Existing Traders

Rents at the indoor Market Hall were calculated for each stall on the following basis:-

Frontage – 83 pence per ft per week;
Area - 56 pence per sq ft per week.

This above prices include a 3% increase from April 2016

VAT is added to all rents at the appropriate rate.

Rents will be reviewed on an annual basis and where an uplift is applicable traders will be informed 3 months in advance of the due date which will be 1st April each year.

Any trader wishing to pay a lump sum equivalent to 12 month's stall rent in advance will be eligible for a 10% discount off their overall rent. Any trader wishing to do this should put their request in writing to the Market Office who will provide a full breakdown of prices for the year for consideration. Electricity and promotions charges will remain full price during any discounted period.

In addition to this, any trader who rents 5 stalls or more will be entitled to a 10% reduction in rent.

b. New Traders

Stall charges will be calculated using the same formula specified above under existing traders. A monthly price breakdown for each vacant unit is provided to all successful applicants so that they can make an informed decision about which unit they wish to rent prior to being made a formal offer of a stall.

Once a stall has been chosen by a successful applicant, a full schedule of monthly costs is provided to them with an offer letter. These are fixed monthly charges which include the stall rent, a cost for electricity usage and a charge towards market promotions. VAT is added to rent and electricity charges at the current rate.

As an incentive, all new traders to Widnes Market Hall are given a month rent free, which will be given in the 4th month of trading. If a trader is intending to sell a new commodity or bring a new service to the market, then they will be offered one additional month rent free in the 5th month of trading. Electricity and promotions charges apply in full during these discounted periods.

A deposit equivalent to one month's full price rent is also charged to all new tenants. Tenants will be invoiced for the deposit and it must be paid in full before they can commence trading. The deposit is fully refundable on vacating the same unit, provided that the tenant does not have any arrears, the stall has been left empty, free of rubbish and in a good state of repair, access passes have been returned and contact details have been left with the market office. Where all or any of the above exist, the deposit will be retained and used as payment towards these costs.

1.4 Other Charges

a. Electricity

All indoor market traders will be charged for electricity each month and this will be added to each monthly invoice.

All stalls are allocated a specific price banding relating to the electrical equipment provided on their stall and assumptions made about usage of this equipment based on the type of business that each trader operates. The decision relating to price bandings was made following guidance from Halton Borough Council's electrical contractor.

There are three price bands for electricity consumption:

Band 1 – for low users is charged at a rate of £10 per month per stall plus VAT

Band 2 – for medium users is charged at a rate of £30 per month per stall plus VAT

Band 3 – for high users is charged at a rate of £65 per month per stall plus VAT

The above figures may be uplifted on an annual basis from 1st April, any uplift will reflect increases in the utility prices which the Council are charged by the utility companies.

All new traders will be asked to list all electrical appliances that will be used by their business on their application forms which will inform the price banding for their business.

Where costs associated with a business' electricity consumption is perceived to cost significantly more than the highest rate cited above then the Council will insist upon a meter being installed on the unit(s) for monitoring purposes. If after a period of no less than a 3 months the business is showing to use more electricity than the upper band assumes then this tenant will be required to pay by the meter thereafter.

It should also be noted that where a business uses additional electrical equipment on their stall or conversely where a business reduces the electrical equipment used on their stall, this could lead to changes in the amount their business is charged each month.

Several units within the Market Hall have an electric sub-meter. They will be invoiced quarterly by the Council based on the consumption used and the current rates the Council are being charged.

b. Promotions Charges

All traders will pay a monthly fee of £7.59 per stall towards Widnes Market promotional activities. This charge is exempt from VAT.

Traders are reminded that the promotions budget can only be spent on marketing activities which will benefit the market as a whole and cannot be spent on promoting or naming individual stalls. The promotional activities undertaken by the Sales, New Business and Marketing Officer and the Corporate Communications Team is designed to complement, but should not be seen as a replacement for individual stall holders own marketing strategies.

c. Fixtures and Fittings

All fixtures and fittings within a stall should be removed on termination of a Tenancy at Will. If the tenant fails to do this within seven days of vacating a stall all structures, fixtures and fittings remaining in a stall shall become the property of the Council who will have power to dispose thereof as it thinks fit and recover its expenses in so doing from the tenant.

Any trader wishing to leave shutters and shop fronts in position following the vacation of a unit, should make enquiries with the market office.

d. Discounts for Additional Stalls

Existing traders who have traded in the market for a period of six months or more and who wish to expand into an adjacent/ other stall or relocate to a larger stall elsewhere in the market are offered half price rent for the additional space as an incentive for a period of six months. This is calculated as follows:

- The price of a trader's existing stall(s) excluding VAT is taken away from the price of the trader's new stall(s) excluding VAT to find the increase in rent.
- The trader is given a 50% reduction on this additional rent for a period of six months.
- VAT, electricity and promotions charges which will be charged at the full rate during any discounted periods.

Traders will only be given permission to expand where they do not have rent or other arrears associated with their existing stall or storage.

Traders will need to provide a deposit equivalent to a half month's full price rent for any new stalls. Tenants will be invoiced for the deposit and it must be paid in full before they can commence trading from the additional stalls. The deposit is fully refundable on vacating the same unit, provided that the tenant does not have any arrears, the stall has been left empty, free of rubbish and in a good state of repair, and contact details have been left with the market office. Where arrears exist, the deposit will be used as payment towards these arrears.

Traders are not entitled to reduced rents for expansions if they have downsized within the preceding last six months.

e. Traders' Car Park

Traders are welcome to use the traders' car park on a first come first served basis and no additional charge will be made for this. The traders' car park is open as follows:

	Opening Time*	Closing Time*
Monday	6.30am	6.00pm
Tuesday	6.30am	5.45pm
Wednesday	5.00am	6.00pm
Thursday	6.30am	6.00pm
Friday	6.00am	6.00pm
Saturday	6.00am	6.00pm

*These times may vary from time to time.

A barrier system operates to ensure that spaces are available to traders at all times. Whilst the system does have an intercom system for the barrier to be opened for them, there is no guarantee that there will always be someone available to do this. It is, therefore, recommended that traders purchase a barrier fob from the market office. The cost for this is £30, but this is fully refundable on return of the working fob.

Traders are reminded that it is ultimately their responsibility to open the barrier for their deliveries.

f. Door Access Pass

All tenants will be issued with one door access pass to gain access to the traders' facilities on the first floor. This includes the traders' toilets, traders' mess, store rooms and post rooms. Further door access passes for multiple stalls (up to a maximum of three passes per two stalls) can be issued for named employees at a cost of £10 per pass.

Where an access pass is lost a charge of £10 is made for a replacement.

Traders are required to hand their door access pass back to the Market Office on vacating their stall.

1.5 Assignment of Tenancy at Wills

The assignment of a Tenancy at Will is not permitted.

1.6 Daily Licences

Indoor stalls can be rented if available on a daily licence by non-profit making organisations, local community groups or registered charities at no charge (up to a maximum of four days a year).

All organisations, charities and community groups need to provide the following information when booking a stall:

- Full details of the activities that are to be undertaken from the stall including details of any products or services to be offered;
- If a charity wishes to collect money from the public, a licence needs to be obtained from the Licensing Manager of Legal Services (Kay Cleary 0151 511 7879) prior to making a booking. This needs to be presented to the Market Office at the time of booking;
- Details of the organisation's name and address along with a copy of a charity's registered charity number (if applicable). This could be a letter drafted on headed paper; and
- A copy of a Public Liability Certificate in the organisation's name, insuring for the sum of £5million.

The decision regarding the suitability of an indoor stall to any of the organisations specified above rests with the Market Officer and all applications should be made to the market office. To qualify for a rent free stall organisations would not be expected to sell any items and should instead offer a free service/ provide information/ or carry out a promotion. There may be exceptions to this rule, but this would only be with prior consent from the Market Officer.

Where a profit making organisation/ trader wishes to rent a vacant stall in the Market Hall or a charity wishes to sell goods from an indoor stall, applications must be made in writing to the market management team. All applications must specify the activities that they wish to carry out from the stall and any products/ services that are to be offered either for sale or otherwise. The decision relating to the suitability of an indoor stall for the uses specified rests with the Market Officer where a trader wishes to sell an item/ offer a service which is not currently available in the Market Hall or where a stall is rented as part of a wider market promotions such as Love Your Local Market fortnight and Widnes on Sea. All other applications will need to be referred to the New Stalls Panel for a decision.

A charge will be made based on the daily outdoor rent for casual traders/ charities and a daily licence will need to be signed.

2.0 Widnes Open Market

2.1 Opening Days and Hours

The Widnes Open Market is open on Monday, Friday and Saturday.

The trading hours are 9am to 3pm.

2.2 Eligibility to Rent a Stall

All applications to rent stalls on the outdoor Market are to be made to the Widnes Market office. Where an application is successful, various pieces of identification will need to be provided by the applicant before they can commence trading. This includes: public liability insurance (insured to the sum of £5 million), three pieces of identification to include one item showing the name and home address of the applicant dated within the past 3 months, one item with photo ID and an item of identification showing the applicant's national insurance number, evidence of a trader's eligibility to work in the U.K. will also be required. Stalls can only be booked once a trader's commodities have been approved. All outdoor traders will be required to sign a licence.

Where traders intend to sell products which are bound by Environmental Health regulations, Food Standards Agency regulations or other regulatory bodies, approval must be obtained by the Trader from the appropriate body prior to be able to commence trading.

No stalls will be rented to claims management companies i.e. businesses that handle claims for compensation in relation to personal injury, financial products/services (such as miss-sold payment protection insurance), employment matters, criminal injuries, industrial injuries, disablement benefit and housing disrepair.

2.3 Charges for Casual Traders

All new traders on the open market are treated as casual traders and the following daily charges apply:

	Rent	Promotions	Daily Rent (per stall)
Monday	£12.95	£0.35	£13.30
Friday	£19.15	£0.35	£19.50
Saturday	£21.15	£0.35	£21.50

Casual traders only pay when they trade and a member of staff collects rent on the day.

2.4 Charges for Regular Traders

After 3 months of continual trading, casual traders can apply to become a regular trader. Regular traders are offered discounted rent for their stall(s) on Mondays, Fridays and Saturdays, but pay for their stall(s) all year round unless they are taking a day's holiday or can provide evidence to show that they are not fit for work.

There is also a three day trading offer where traders pay a fixed reduced amount if they have at least one stall on a Monday, Friday and Saturday. See table below:

	Rent	Promotions	Daily Rent (per stall)
Monday	£11.65	£0.35	£12.00
Friday	£17.15	£0.35	£17.50
Saturday	£19.15	£0.35	£19.50
3 Day Trading	£38.25	£1.05	£39.30

Regular traders are allocated regular stalls. The allocation of a stall or space is personal to the trader who cannot then assign, transfer, share or part with the stall or space allocated. The trader shall only trade from the stall or space allocated at the prescribed times.

Regular traders pay on their first trading day for all the stalls that they have been allocated that week. If a stall adjacent to a trader is vacant after 9am, traders are permitted to use these stalls on that day for no extra cost. Where two traders wish to expand into a vacant stall and agreement cannot be reached between the two traders, the final decision rests with the market management team.

Regular traders need to give at least 24 hours' notice if they wish to rent an additional stall over and above what is currently allocated to them on a particular trading day. Regular traders also need to give one week's written notice if they wish to cease trading as a regular trader or if they wish to reduce their stall numbers. Any regular trader who has arrears equivalent to two weeks rent either through non-attendance without prior notification to the market office or non-payment of rent will lose their allocated stalls.

a. Holidays for Regular Traders

Each regular trader is entitled to a two week payment holiday a year, which must be booked in advance in writing to the market office. These holidays must relate to the days that they are registered with the market office to work as a regular trader. For example a trader who is currently registered to trade on a Saturday only would be entitled to two Saturdays' holiday without payment. Holidays are only allowed where traders are fully up-to-date with their rent payments.

In addition, any regular trader who is fully up to date with their rent and/or storage payments at the end of the year will be offered a discount of 50% off the following February's stall charges (maximum 4 weeks). Again, this discount only applies to the days that a trader is registered with the market office to work as a regular trader. Any additional trading days will be charged at the full daily rate for a casual trader.

b. Incllement Weather

From time to time a decision is made to not charge regular and casual traders for a particular day due to inclement weather. This decision rests with the market management team and their decision is final.

c. Bank Holidays/ Other Closures

Where the market is closed on a Bank Holiday or for any other reasons, regular traders' rents will be adjusted accordingly.

d. Calculation of Discounted Rents

In circumstances (b) to (c) above the discounted regular trader's rent for a week will be calculated by: dividing the weekly rent normally paid by the regular trader by the number of days that they usually trade in a week to calculate an approximate daily figure. This is then multiplied by the number of days that they have traded that week.

As traders pay on the first trading day any rent which is due to be credited to a trader will be taken off their next week's full price rent.

2.5 Charges for Flea Market Traders

The flea market operates every Wednesday between 9am and 5pm and all traders pay £19.00 per stall/ pitch. This includes £0.35 per stall towards market promotions.

Although there are a number of flea market traders with a regular pitch, the stall charge is a casual rate with traders only paying for their stall when they trade. Any vacant stalls are allocated to traders turning up on the day.

2.6 Charges for Registered Charities

A discounted rate for registered charities is in place on all open market days, although a maximum of two registered charities are allowed onto the market on each trading day.

In order to qualify for discounted rent, registered charities must book their stall in advance noting at the time of booking that they wish to qualify for the reduced charity rents.

Registered charities also need to provide the following information when booking a stall:

- Full details of the activities that are to be undertaken from the stall including details of any products or services to be offered for sale or otherwise;
- If a charity wishes to collect money from the public, a licence needs to be obtained from the Licensing Manager of Legal Services (Kay Cleary 0151 511 7879) prior to making a booking. This needs to be presented to the Market Office at the time of booking;
- A copy of the charity's registered charity number, along with details of the charity's name and address. This could be a letter drafted on headed paper; and
- A copy of a Public Liability Certificate in the charity's name, insuring for the sum of £5million.

The charity rates per stall are as follows:

Monday	£10.30
Wednesday	£13.00
Friday	£13.30
Saturday	£15.40

£0.35 of each stall charge will be allocated to Widnes Market promotions.

2.7 Other Charges

a. Promotions Charges

Promotions charges for outdoor traders including flea market traders are included in the prices for all stalls and are set out in the text above.

The promotions budget generated by this income is managed by the Communications and Marketing team who carryout marketing activities with the principal aim being to bring additional footfall into Widnes Market. A marketing plan for each financial year is agreed with traders through the trader's committee.

Traders are reminded that the promotions budget can only be spent on marketing activities which will benefit the market as whole and cannot be spent on promoting or naming individual stalls. The promotional activities undertaken by the Communications and Marketing team is designed to complement, but should not be seen as a replacement for, individual stall holders own marketing strategies.

b. Traders' Car Park

All traders are welcome to use the traders' car park on a first come first served basis and no additional charge will be made for this.

The traders' car park is open as follows:

	Opening Time *	Closing Time *
Monday	6.30am	6.00pm
Tuesday	6.30am	5.45pm
Wednesday	5.00am	6.00pm
Thursday	6.30am	6.00pm
Friday	6.00am	6.00pm
Saturday	6.00am	6.00pm

*These times may vary from time to time.

A barrier system operates to ensure that spaces are available to traders at all times. Whilst the system does have an intercom system for the barrier to be opened for them, there is no guarantee that there will always be someone in the market office to answer this. It is, therefore, recommended that traders purchase a barrier fob from the market office. The cost for this is £30, but this is fully refundable on return of the working fob.

Traders are reminded that it is ultimately their responsibility to open the barrier for their deliveries.

c. Door Access Pass

Outdoor traders can be issued with one door access pass on request to gain access to the traders' facilities on the first floor. This includes the traders' toilets, traders' mess, store rooms and post rooms. Further door access passes for regular traders with larger stalls (up to a maximum of three passes per two stalls) can be issued for named employees at a cost of £10 per pass.

Where a door access pass is lost a charge of £10 is made for a replacement. This should be handed back to the Market Office when a trader chooses to cease trading.

3.0 Widnes Market Hall Events Space/Foyer

3.1 Eligibility to Use the events space

The Market Hall events space/foyer can be booked by registered charities only by application to the Market Office. Up to two different registered charities can be booked into the promotions space in the foyer on a single day.

Charities need to provide the following information when booking their space:

- Full details of the activities that are to be undertaken from the foyer space including details of any products or services to be offered for sale or otherwise;
- If a charity wishes to collect money from the public, a licence needs to be obtained from the Licensing Manager of Legal Services (Kay Cleary 0151 511 7879) prior to making a booking. This needs to be presented to the Market Office at the time of booking;
- A copy of the charity's registered charity number, along with details of the charity's name and address. This could be a letter drafted on headed paper; and
- A copy of a Public Liability Certificate in the charity's name, insuring for the sum of £5million.

The decision relating to whether a registered charity can use the space, based on the information provided, rests with the Market Officer.

A daily licence will need to be signed by the person representing the charity on the day.

3.2 Charges

Registered charities are not charged a fee for renting promotions space in the Market Hall. Charities can use the events space for up to a maximum of four trading days a year.

4.0 Widnes Market: Store Rooms and Containers

4.1 Store Room Charges

The following store rooms are available to rent by Widnes Market traders.

- Store rooms A-M are located on the first floor and have lift access. Access is via a security pass controlled entrance inside the Market Hall next to the public toilets.
- Store rooms 1- 5 are located on the first floor along the corridor by the trader's mess. There is no lift access to these stores. Access is from the outside of the market building via a security pass controlled entrance off Morrison's square.
- Store rooms FM1 - FM3 are located on the ground floor with access via a security pass controlled entrance on the outside of the market building next to the Fish and Meat market.
- Store rooms WR01-WR02 are located on the ground floor with access through the wash room on the inside of the market hall next to the public toilets.

Store Rooms A-M – Charged at a rate of £10.81 / sq m (first floor)

	Area (sq m)	Monthly Rent
Store A	5.0	£54.08
Store B	5.1	£55.16
Store C	5.1	£55.16
Store D	3.7	£40.02
Store E	3.3	£35.69
Store F	5.7	£61.55
Store G	5.3	£57.32
Store H	5.1	£55.16
Store I	5.9	£63.81
Store J	3.1	£33.53
Store K	5.3	£57.32
Store L	5.1	£55.16
Store M	5.2	£56.24

Store Rooms 1-5 – Charged at a rate of £9.78/ sq m (No lift access)

	Area (sq m)	Monthly Rent
Store 1	3.2	£31.31
Store 2	5.5	£53.82
Store 3	7.4	£72.41
Store 4	4.7	£45.99
Store 5	4.7	£45.99

Store Rooms FM01 – FM03 – Charged at a rate of £11.84 / sq m (ground floor)

	Area (sq m)	Monthly Rent
Store FM01	9.9	£117.27
Store FM02	10.02	£118.69
Store FM03	8.5	£100.68

Store Rooms WR01 – WR02 – Charged at a rate of £11.84/ sq m (ground floor)

	Area (sq m)	Monthly Rent
Store WR01	3.2	£37.90
Store WR02	3.5	£41.46

All rents are charged on a monthly basis with VAT added at the appropriate rate. Traders are invoiced for the monthly rent each month. The prices outlined above were introduced from 1st April 2016.

All tenants who have a store room will be issued with one access pass (if they do not already have one) to ensure that they can gain access to their store rooms throughout the day. The pass will also enable access to the traders' toilets, traders' mess and post rooms. Where an access pass is lost a charge of £10 is made for a replacement.

All traders who use a store room will be asked to sign a licence. The minimum term for renting a store room is one month and one month's written notice should be provided to the market office staff should the licensee wish to terminate this.

Rent will continue to be charged to the licence holder for the store room if the terms of the licence have not been met. This includes emptying the store room by the termination date and ensuring that the key has been returned to the market office staff.

4.2 Container Charges

There are currently 12 containers sited on the traders' car park. No further containers can be sited on the trader's car park unless an existing container is removed.

Traders who have sited containers in the traders' car park pay ground rent at a rate of £40.00 per month plus VAT for containers of 20ft or less and £80.00 per month plus VAT for containers that are over 20ft. Traders are invoiced for this amount each month.

All traders who use a container will be required to sign a licence. The minimum term for paying ground rent for a container is one month and a minimum of one month's written notice should be provided to the market office should the licensee wish to terminate this.

The preferred method for terminating a container licence is to move the container off site by the agreed termination date. This cannot be carried out without prior agreement of removal date and time with the market office.

Alternatively, traders have the option of selling the container on to a trader who trades regularly on Widnes Market either as a regular trader on the outdoor market or who has had a stall within the Market Hall for over six months. In both cases the new trader must be up to date with their rent payments. If the licensee chooses this route then they must be aware that the container licence cannot be terminated until an account has been set up and a new licence signed by the new trader. In order to ensure that the new trader meets the criteria for siting a container on the trader's car park, the new trader should gain approval from the Market Office staff before the container changes ownership.