

Date Received 03/07/2006

DARTFORD BOROUGH COUNCIL

B Y E L A W S

made under section 60
of the Food Act 1984
by the
Dartford Borough Council
with respect to their markets
in Dartford Kent

BYELAWS

Made by the Dartford Borough Council in exercise of their powers under Section 60 of the Food Act 1984 with respect to their markets in Dartford.

INTERPRETATION

1. In these byelaws

"the Council" means the Dartford Borough Council;

"goods" includes provisions, commodities and articles brought into the market place for the purpose of sale;

"market" means the markets maintained by the Council; namely the Thursday market at Cleves Court, Instone Road, Dartford and the Saturday market in High Street, Dartford and any market from time to time replacing them;

"market hours" means the hours appointed by the Council for the holding of a market;

"market place" means the places in Dartford which are allocated for the holding of the markets maintained by the Council;

"market officer" means the officer duly authorised for the time being by the Council to exercise general management, supervision and control of the markets, or his duly authorised representative;

"sell" and "sale" include exposing and exposure for sale;

"stall" includes any building, shop, office, compartment, standing, bench, table, place or space used or intended to be used for the sale of goods;

"vehicle" includes any mechanically propelled vehicle (other than an invalid chair), and any cycle, tricycle, cart, wagon or trailer;

"Chief Executive" means the person appointed by the Council as its Chief Executive and any person employed by the Council and duly authorised by the Chief Executive to act as his representative.

REGULATION OF TRAFFIC AND PREVENTION OF OBSTRUCTION

2. No person in charge of a vehicle shall without having obtained the permission of the Market Officer to keep a vehicle in the Market for the purpose of trading therefrom, allow it to be halted in any avenue, passage or roadway in the market place, or in the immediate approaches thereto, for longer than is reasonably necessary for the loading or unloading of goods.
3. No person shall cause or permit any vehicle to be driven in the market place otherwise than in a direction indicated by signs or road surface markings erected or laid by or on behalf of the Council for the purpose of indicating the direction to be taken by vehicles in the market place.
4. No person driving or riding any vehicle in the market place or in the immediate approaches thereto shall proceed at a greater speed than five miles an hour.
5. No tenant or occupier of a stall shall cause or permit any goods or any receptacle for goods to be placed on any stall so as to project beyond the limits of such stall.

6. No person shall wilfully obstruct or hinder any person in the proper use of the market place or of any fittings or other apparatus provided for use therein.

7. No person shall bring any goods into the market place earlier than as specified in this byelaw nor allow them to remain there later than as so specified, namely:

Thursday Market - 2 hours before the market opens and 2 hours after the market closes.

Saturday Market - 1 hour before the market opens and 1 hour after the market closes.

AUTHORITY TO USE SPACE

8. No person shall occupy or take possession of any stall or deposit or cause to be deposited any goods on any stall unless and until such stall has been duly let or otherwise allocated by the market officer for the use of such person, and any person occupying taking possession or depositing goods as aforesaid shall at any time if required so to do produce to the market officer satisfactory evidence of due letting or allocation.
9. No person shall erect or fix or attempt to erect or fix any stall in the market place without the previous written consent of the market officer.

FOR MAINTAINING CLEANLINESS

10. Every tenant or occupier of a stall shall:-

- (a) cause the stall to be properly cleansed before and after market hours and as often as may be necessary during those hours;

(b) cause all refuse from the stall, and all refuse arising from the loading or unloading of goods required in connection with the stall, to be placed in a receptacle provided or approved by the Council for the purpose.

FOR PRESERVATION OF ORDER

11. No person shall wilfully or negligently throw, drop or leave in or upon any avenue, roadway or passage in the market place, or in the immediate approaches thereto, any fruit or vegetable matter or any other litter in a manner likely to cause injury or nuisance to any person:

Provided that this byelaw shall not apply in respect of any place in the open air to which the Litter Act 1983 applies.

12. No person shall light a fire in any part of the market place.
13. No person shall, to the annoyance of any person, ring any bell or blow any horn or use any other noisy instrument or loudspeaker to attract the attention or custom of any person to any sale or to any goods intended for sale.
14. No person, other than an officer or servant of the Council acting in the proper execution of his duty, shall without the permission of the Chief Executive post or display any bill, placard or poster, other than a description of goods, in or on any part of the market place:

Provided that this byelaw shall not apply to any bill, placard or poster being posted or displayed pursuant to Regulation 13(1) of the Food Hygiene (Markets, Stalls and Delivery Vehicles) Regulations 1966.

15. Unless the written consent of the Chief Executive be first obtained no person in the market place shall, except by way of sale, distribute or attempt to distribute to the public in the market place any leaflets, handbills, cards, pamphlets, booklets or other literature.

EXPLOSIVES

16. (a) No person shall, to the danger of any person, keep, store or sell any gunpowder, fireworks or other explosive substance or any naphtha, bottled gas, petroleum or paraffin oil or other flammable substance in the market place.
- (b) Where a portable generator is in use the same shall not be refuelled in the market place.

USE OF WATER TAPS

17. Every person who uses a water tap in the market place shall cause the same to be properly turned off immediately after he shall have finished using such tap.

FIRE FIGHTING EQUIPMENT

18. No person shall without lawful authority remove or interfere with any fire extinguisher or other fire fighting equipment situated in the market place except in the case of an emergency.

ANIMALS

19. No person shall bring into or allow to remain in the market place any dog or other animal belonging to him or in his charge unless it is attached to a lead and kept at all times under his control or is otherwise kept sufficiently secured and under his control.
20. No person other than a certificated pedlar shall during market hours sell or expose for sale in any place within half a mile of the market, except in his own dwelling place or shop or in, or at the door of, any premises to a person resident therein, any articles specified in the schedule hereto, being articles commonly sold in the market.

PENALTIES

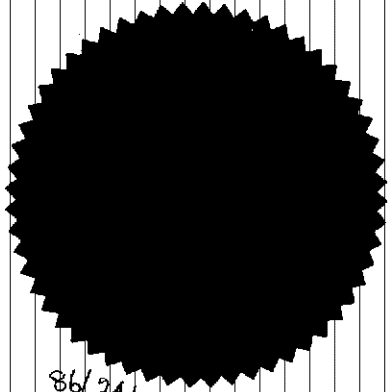
21. Any person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding £100.

REVOCATION

22. The byelaws relating to their markets which were made by the Dartford Borough Council on the 8th day of July 1976 and confirmed by the Secretary of State for the Environment on the 24th day of September 1976 are hereby revoked.

SCHEDULE

Blankets and household linens.
Books, magazines and stationery.
China, crockery, glassware and household ornaments.
Christmas decorations and wrapping paper.
Cleaning materials.
Cloth.
Clothing.
Cooking Utensils.
Copper, brass and ironware.
Corsetry and foundation garments.
Curtains.
Cutlery.
Drapery and haberdashery, and embroidery materials.
Dressmakers' requisites.
Electrical goods and lamp-shades.
Fancy goods, jewellery, clocks, watches and binoculars.
Floor coverings and furnishings.
Flowers, plants, shrubs and trees and florists' sundries.
Foodstuffs.
Footwear.
Furniture.
Gardening requirements and seeds.
Gloves, millinery.
Gramophone records, radios, tape recorders, record players and musical instruments.
Grindery, leather cloths and upholstery materials.
Handbags, trunks, suitcases and shopping bags, and leather goods.
Hardware, chandlery and ironmongery.
Hosiery.
Household goods.
Keys.
Knitted goods.
Lace.
Motor car and cycle supplies and accessories.
Pedlars' wares.
Pet foods.
Piece goods and fents.
Plastic, latex and rubber goods.
Prints, pictures and objects d'art (other than original works of art offered for sale by the artist).
Soap, soap powders, detergents, cosmetics, perfumes, toilet goods and requisites and chemists' sundries.
Soft furnishings.
Sports goods.
Toys and games.
Wallpaper, paint, varnish, distemper, paint brushes and rollers, decorators' materials and hand tools.
Wools and baby linens.
Woven materials and textiles, wrapping and packaging materials.



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(THE COMMON SEAL of THE
(
(DARTFORD BOROUGH COUNCIL
(
(was hereunto duly affixed
(
(this *Eighth* day of
(*July* 1986
(

[Handwritten Signature]
Chief Executive

DET 5523

The foregoing byelaws are hereby confirmed by the Secretary of State for the Environment and shall come into operation on 1st December 1986.

[Handwritten Signature]

Signed by authority of
the Secretary of State
30 September 1986.

P. G. FREEDALE
A Senior Principal
in the Department
of the Environment.