



Medway Council Act 2001

2001 CHAPTER iv

PART 3

OCCASIONAL SALES AND SQUAT TRADING

11 Notice of occasional sales and squat trading

- (1) Any person who intends—
- (a) to hold an occasional sale in the borough; or
 - (b) to permit an occasional sale to be held on premises in the borough of which he is the occupier; or
 - (c) to carry out squat trading;
- shall, not less than 21 days before the holding of the intended sale or the commencement of the trading, give to the council notice of his intention to hold the sale or to permit those premises to be so used or to carry out the trading, as the case may be.
- (2) A notice given under subsection (1) above shall be in writing and shall specify—
- (a) the proposed date and time of commencement, expected duration and location of the intended occasional sale or squat trading;
 - (b) whether the occasional sale or squat trading is to be held on other days and if so, what days, and the time of commencement and expected duration on those days;
 - (c) the extent of the premises to be occupied or used for the purposes of the occasional sale or squat trading;
 - (d) the nature of the goods to be provided at the occasional sale or during the squat trading;
 - (e) the name and address (other than an address temporarily occupied for the purposes of the occasional sale) of every person who it is proposed will hold or promote the occasional sale or carry out the squat trading, and the name and address of a person appointed to receive and answer complaints about the sale or trading; and

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- (f) in the case of an occasional sale, an estimate of the number of persons expected to attend the sale.
- (3) If the council has reason to believe that an occasional sale is to be held or that squat trading is to be commenced in the borough but that no notice thereof has been given under subsection (1) above by the relevant person, they may as soon as reasonably practicable after the apparent intention to hold the sale or carry out the trading has come to their knowledge, serve on—
- (a) the person who appears to be the relevant person; or
 - (b) the occupier of any premises on or in which it appears that such sale is to be, is being or was held;
- a notice requiring that person to give to the council the information required by subsection (2) above.
- (4) Any person on whom a notice given under subsection (3) above is served shall supply to the council the information required by subsection (2) above within 7 days after the service of the notice, whether or not the occasional sale or squat trading commences before the expiry of that period.
- (5) If the council has reason to believe that an occasional sale has been or is being held or that squat trading has been commenced in the borough but that no notice thereof has been given under subsection (1) above by the relevant person, they may as soon as reasonably practicable after the holding of the sale or the carrying out of the trading has come to their knowledge, serve on—
- (a) the person who appears to be the relevant person; or
 - (b) the occupier of any premises on or in which it appears that such sale is being or was held;
- a notice requiring that person to give to the council the information mentioned in subsection (6) below.
- (6) The information required by subsection (5) above is—
- (a) the date and time of commencement and location of the occasional sale or squat trading;
 - (b) the duration or (in the case where an occasional sale is being held or the squat trading is being carried out) expected duration of the occasional sale or squat trading;
 - (c) whether the occasional sale or squat trading is to be held on other days and if so, what days, and the time of commencement and expected duration on those days;
 - (d) the extent of the premises occupied or used for the purposes of the occasional sale or squat trading;
 - (e) the nature of the goods provided at the occasional sale or during the squat trading;
 - (f) the name and address (other than an address temporarily occupied for the purposes of the occasional sale) of every person who is holding or held or is promoting or promoted the occasional sale or is carrying out or carried out the squat trading, and the name and address of a person (if any) appointed to receive and answer complaints about the sale or trading; and
 - (g) in the case of an occasional sale, an estimate of the number of persons attending, or who attended the sale.

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- (7) The information required by subsection (5) above shall be supplied by the person on whom the notice is served within 7 days after the service of the notice, except in the case where the sale is being held or the trading is being carried out in which case the information should be supplied forthwith.
- (8) The “relevant person” for the purposes of subsections (3), (4) and (5) above is—
- (a) in the case of an occasional sale, the person who is intending to hold, is holding or held the occasional sale;
 - (b) in the case of squat trading, the person who is intending to carry out, is carrying out or carried out the trading.