

**BRAY URBAN DISTRICT COUNCIL**

**CASUAL TRADING BYE-LAWS, 1997**

Made under

**THE CASUAL TRADING ACT, 1995**

## **PART I**

Bray Urban District Council, in exercise of its powers under section 6 of the Casual Trading Act, 1995 (No. 19 of 1995) hereby makes the following bye-laws as to casual trading within the functional area of Bray Urban District Council.

### **Definitions:**

1. In these bye-laws, except where expressly stated to the contrary, the following words have the meanings hereby respectively assigned to them, this is to say:

**“the Act”** means the Casual Trading Act, 1995.

**“The Council”** means the Bray Urban District Council.

**“designated area”** means the areas hereafter more particularly described in the first schedule hereto and designated as a casual trading area.

**“casual trading”** means the carrying out of trading as described by section 2 of the Act.

**“Casual Trading Licence”** means a licence granted by the local authority under section 4 of the Act.

**“Licence holder”** means a person to whom a licence has been issued, or his servant or agent acting on his behalf.

**“authorised officer”** means a person appointed by the local authority under section 10 of the act.

## **PART II**

### **CASUAL TRADING AREA**

2. Each of the lands described in the First Schedule hereto is hereby designated as a casual trading area for the purposes of the Act. No goods shall be sold or offered for sale by a casual trader except those allowed under his/her licence.

### **LICENCE FEES**

3. An applicant for a licence must complete the required application form and pay the appropriate licence fee as set out in the Second schedule hereto.

### **TRADING PLACE**

4. A licence holder (other than the holder of a licence for a special event) shall engage in casual trading only within the space or spaces allocated to him in a designated area.

Space or spaces shall be identified by means of the description in his/her licence and by reference to the maps of the designated areas in the First Schedule hereto and/or by paint marking on the ground.

No motor vehicles or trailers shall be permitted in any of the designated areas.

Due recognition will be given to traditional traders in the allocation of casual trading spaces and in particular to persons who can satisfactorily support their claim to be established traders.

Trading shall not be conducted in a manner that is likely to cause offense. The Council reserves the right to change and alter the internal layout of the trading spaces within the casual trading areas at any time.

The allocation of a trading space/spaces to a licensee shall not confer any tenancy or any other rights other than the rights conferred by the licence.

### **TIMES OF TRADING**

5. A licence holder shall engage in casual trading only at the specified times and days shown on the licence.

In the designated area marked 'A' & 'C' on map no. 1 in the First Schedule hereto, trading shall take place from Monday to Saturday only, including Bank Holidays and holy days, between the hours of 9.00 a.m. and 9.00 p.m.

In the designated area marked 'B' on map no. 1 in the First Schedule hereto, trading shall take place from on Sundays and holy days only, between the hours of 9.00 a.m. and 6.00 p.m.

In the designated area marked on map no. 2 in the First Schedule hereto, trading will be permitted for seven days a week, including Bank Holidays and holy days between the hours of 9.00 a.m. and 9.00 p.m.

### **DISPLAY OF LICENCE NUMBER**

6. A licence holder shall prominently display the number of his licence at his trading place in such a position as to be clearly visible and easily legible to members of the public at all times during trading hours. If so requested, he shall produce the licence to any person in that place.

### **EVENTS**

7. A casual trading licence may be issued to a person carrying on casual trading at an event or events specified in the casual trading licence to which the public are admitted, whether subject to or free of charge, at or in the immediate vicinity of the place where and on the day in which the event takes place. Such a licence will prescribe the location for trading and will be subject to the regulation and conditions as specified by the Council. The Council shall determine the extent of casual trading at any event or events.

## **LITTER**

8. Every casual trader will be obliged to keep his/her designated area in a clean and tidy condition at all times. All goods, stock and litter shall be removed from the trading place at the end of each day's trading. (This does not apply to the kiosks).

## **STALL**

9. A licence holder shall use only a stall or other like receptacle for carrying/displaying goods which is approved by the Council and shall remove same at the end of each day's trading. The Council may remove any stall or like receptacle found in a trading place outside of trading hours.

A casual trader shall not hand over possession of or the use of his/her stall or any part thereof to any other casual trading or person for any reason whatsoever.

Stalls selling food for human consumption shall comply in all respects with the Food Hygiene Regulations and any recommendations made by the Eastern Health Board.

## **RESPONSIBILITY FOR GOODS, PROPERTY, VEHICLES AND/OR BELONGINGS**

10. Bray Urban District Council will take no responsibility whatsoever for the goods, property, vehicle(s) and/or belongings of any person, including casual traders, using the casual trading area while they are in the casual trading area.

## **NECESSARY WORKS**

11. No trader or any other person shall interfere with or obstruct any officer, servant or agent of Bray Urban District Council or any other provider of public utilities engaged in the carrying out of any works of maintenance or improvement in any part of the designated areas, even when such work is carried out during trading hours.

## **OBLIGATION TO OBEY DIRECTIONS**

12. A licence holder must obey all lawful requests from an authorised officer or a member of the Garda Siochana while occupying a trading place.

## **OFFENCES**

13. A person who contravenes a bye-law shall be guilty of an offence.

## **PENALTY**

14. Every person who shall offend against any of the foregoing bye-laws shall be liable for every such offence on summary conviction to a fine not exceeding £1,000.00.

## **FIRST SCHEDULE**

Those lands hereunder described and outlined in the map annexed hereto:

- (1) Main Street (West Side) – Outlined in red and delineated ‘A’, ‘B’, & ‘C’ on Map 1**
- (2) Bray Seafront – Existing Kiosks only – Coloured red on Map 2.**

## **SECOND SCHEDULE**

### **FEEES**

The fees for a Casual Trading Licence shall be as follows:

- (1) Main Street (West Side) – Outlined in red and delineated ‘A’, ‘B’, & ‘C’ on Map 1.**

**Description of goods permitted to be sold or offered for sale:**

*Jewellery and accessories manufactured by licence-holder.*

£10.00 per annum.

- (2) Main Street (West Side) – outside Church of the Most Holy Redeemer –  
Outlined in red and delineated ‘B’ on Map 1.**

**Description of goods permitted to be sold or offered for sale:**

*Newspapers only*

£10.00 per annum

- (3) Main Street (West Side) – Outlined in red and delineated ‘C’ on Map 1.**

**Description of goods permitted to be sold or offered for sale:**

*Jewellery and accessories manufactured by licence holder.*

£10.00 per annum

**(4) Bray Seafront – Existing Kiosks only – Coloured red on Map 2.**

**Description of goods permitted to be sold or offered for sale:**

*Confectionary and Novelties.*

£10.00 per annum

**(5) Special Events.**

£10.00 per annum.

**These bye-laws shall be known as the Bray Urban District Council Casual Trading Bye-Laws, 1997.**

**Made and Adopted under the Common Seal of the Council of the Urban District of Bray, this**

**21<sup>st</sup> day of January 1997**

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**Chairman**

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**Assistant County Manager**

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**Town Clerk**