

Greater London Council (General Powers) Act 1984 - Part VI

Registration of Premises for the Sale of Goods By Competitive Bidding – Application Form

Email completed application and proof of payment to licensing@enfield.gov.uk

<p>Name & Address of Premises :</p> <p>Telephone number:</p> <p>Applicant(s) : (see notes)</p> <p>Private address:</p> <p>Telephone number:</p> <p>Email address:</p>	
The interest of the applicant(s) in the premises to be registered	
Parts of the premises to be used for the relevant sale	

Please complete the following:

<p>(a) Will the applicant(s) be conducting the relevant sale?</p> <p>(b) If the applicant(s) will not be conducting the relevant sale state the name and address of any other person who is likely to regularly</p>	
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<p>conduct the relevant sale</p> <p>(c) Has the applicant or person in (b) (or in the case of a body corporate the director, manager, secretary or similar officer) ever been convicted of any offence in connection with the supply of goods or services or unfair trading practices</p>	<p>Yes/No</p>
<p>How often is it intended that relevant sales will take place?</p>	
<p>What types of goods is it intended will be sold by competitive bidding?</p>	

Sales by competitive bidding or prescribed articles include personal & household, musical and scientific instruments (see s24 of the 1984 Act).

You may need planning permission. Further advice on planning permission can be obtained at www.enfield.gov.uk

All sections must be completed in full for your application to be considered. Failure to do so may result in your application being delayed or refused. Enclose any additional information necessary to support your application when submitting this form.

DECLARATION

I/We, _____, hereby apply for registration of premises for the sale of goods by competitive bidding in respect of the above premises and duly declare that :

- (1) I/We have read and understood the conditions which would be imposed if registration is granted.
- and*
- (2) the information contained in this application is true to the best of my/our knowledge and belief

Signature : Date :
Applicant name

Applications cannot be accepted unless the correct fee has been paid. Licence fees are not subject to VAT. Please see the fees on our website [here](#) for the amount payable and how to pay online.

The licensing application process normally takes at least 28-days from when a valid application and fee is made and you may not hear from us again until that consultation period has elapsed.

NOTES:

This application must be signed, in the case of:

- i) an individual, by that individual;**
- ii) a partnership, by every partner;**
- iii) a limited company or other incorporated body, by the secretary;
and**
- iv) an unincorporated association, society or similar body, by its duly
authorised
agent, the application being accompanied by a certified copy of the
agent's authority.**

**Any subsequent proposal to change any of the particulars given on this form
must be immediately notified to licensing@enfield.gov.uk**

**If any person knowingly or recklessly makes a false statement or omits any
material particulars in this application he shall be guilty of an offence for
which the maximum penalty is level 5 on the standard scale (currently
£5,000).**

**Please note that the Council may refuse to register the premises on the
grounds that they are unsuitable for the sale of goods by competitive bidding,
that the use is likely to cause nuisance or that the applicant is not a fit or
proper person to conduct such sales.**

**One-day charity event auctions are exempt, and in this case, proof of charity status
is required.**

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CONDITIONS IMPOSED ON PREMISES REGISTERED FOR THE SALE OF GOODS BY COMPETITIVE BIDDING

In these conditions, unless the context requires otherwise, the following expressions shall have the meaning hereby assigned to them:

"Council" means Council of London Borough of Enfield

"Premises" includes land and any stand, marquee, tent, vehicle (whether mobile or not), site or pitch

"Relevant Sale" means a sale of goods by way of competitive bidding

1. Details of each trading session at which a relevant sale is likely to take place is to be notified in writing to the Manager of Trading Standards by the person in whose name the premises are registered not less than 5 days before the event. The notification is to include the date, time and duration of the sale and the name and address of the persons concerned with the conduct and management of the event
2. The full name and address of the person intending to carry on a relevant sale is to be included in all publicity material and shall be prominently displayed at the event itself
3. The person carrying out a relevant sale shall not conduct the business in a manner which is detrimental to the interests of consumers, whether those interests are economic, or in respect of health, safety or other matters or in any manner unfair to consumers
4. A relevant sale shall **NOT** constitute a MOCKAUCTION.
A sale becomes a mock auction if:-
 - a. the right to bid for any lot is restricted to persons who have bought or agreed to buy one or more articles;
 - b. goods are sold to any person at a lower price than that persons highest bid for that lot, or part of the price bid is later refunded;
or
 - c. articles are offered, or given away free as gifts
5. The person conducting a relevant sale shall not attempt to restrict or exclude the rights of the buyer or any obligations that arise if the goods are defective or are not fit for a purpose or do not correspond with the description
6. The occupier of the premises shall be the person in whose name the premises are registered
7. The registration is not transferable by the person in whose name the premises are registered
8. Without the express written consent of the Council the person in whose name the premises are registered shall not knowingly permit

- the conduct of a relevant sale by any person -**
- a. whose application for registration of premises for relevant sales or renewal thereof, has been refused by the Council or any other borough council; or**
 - b. whose registration of premises for relevant sales has been revoked by the Council or any other borough council**
- 9. The person in whose name the premises are registered shall comply with the requirements of the Town and Country Planning Act 1971 (as amended) and of any associated legislation and in particular with any special conditions relating to the premises**
 - 10. The registration of premises for relevant sales shall not be deemed to convey any approval or consent which may be required under any enactment, bye-law, order or regulation except as provided by Part VI of the Greater London Council (General Powers) Act 1984**
 - 11. Relevant sales shall only be conducted on the premises between the hours of 8am and 8pm Monday to Saturday**
 - 12. All reasonable precautions shall be taken to maintain public orders in premises and to minimise any nuisance or annoyance to residents in the neighbourhood**
 - 13. No material change, either permanent or temporary, in the structure or layout of the part of the premises registered for relevant sales shall be made without prior approval of the Council**
 - 14. The person in whose name the premises are registered shall take all reasonable precautions for the safety of employees and all persons visiting the premises**
 - 15. All doorways, corridors, staircases etc usable as a means of escape shall be kept free of obstruction and be immediately available and adequately illuminated**
 - 16. Any special fire safety recommendations of the London Fire Brigade shall be complied with at all times**
 - 17. Members of the public shall not be prevented from entering or leaving the premises during any trading session**
 - 18. The Council may amend or alter these conditions without prior consultation**

APPEALS PROCEDURE

- 1** If your application is refused you may, within 7 days, email licensing@enfield.gov.uk to make an appointment to discuss the matter with the Issuing Officer.
- 2.** At the end of the appointment with the Issuing Officer the reasons for refusal will be confirmed in writing.
- 3.** If you still consider that this decision should be changed, within 7 days of the appointment, email licensing@enfield.gov.uk to make an appointment to discuss the matter with the Issuing Officer's Manager.
- 4.** At the end of the appointment the Manager will confirm in writing the decision of the appeal.
- 5.** This does not affect your statutory rights of appeal under Section 29 of the Greater London Council (General Powers) Act 1984. If you wish to appeal against a decision you may appeal to the local Magistrates court within 21 days of the notice of the decision.