

MARKET BYELAWS

Made by the Borough Council of Darlington in exercise of their powers under Section L1(51) of the Darlington Local Board of Health Act, 1861 (which incorporates therein the provisions of the Markets and Fairs Clauses Act, 1847) with respect to their Market Hall and Open Market

Interpretation

1. In these byelaws

“the Council” means the Borough Council of Darlington;

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

“market” means the markets held in the market place and the market hall maintained by the Council;

“market hall” shall mean the building in Darlington where the Council’s retail general market is held;

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

“market place” means the place in Darlington where the Council’s Retail General Market is held;

“market officer” means the person appointed by the Council to exercise general management, supervision and control of the market, 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” means a motor vehicle as defined in Section 190(1) of the Road Traffic Act, 1972 (*see footnote) and any cycle, tricycle, cart, wagon or trailer.

REGULATION OF TRAFFIC AND PREVENTION OF OBSTRUCTION

2. No person in charge of a vehicle shall 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 bring into the market place or the immediate approaches thereto or allow to stand therein, any vehicle, goods, receptacle for goods, or animals in such a manner as to cause obstruction.

Provided that this byelaw shall not apply to any vehicle being used for fire brigade, ambulance, police or refuse disposal purposes in pursuance of statutory powers or duties.

4. 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 marking 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.
5. 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.
6. 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.
7. No person shall wilfully obstruct, disturb or hinder any person in the proper use of the market place or of the immediate approaches thereto.
8. No person shall allow any goods to remain in the market place more than one hour after the market closes.

AUTHORITY TO USE SPACE

9. No person shall occupy or take possession of any stall or deposit or cause to be deposited any goods (equipment or utensils) 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.
10. 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.
11. Where the Council :-
 - (a) Designate any part of the market place for the sale of goods or any class of goods, or for sales by auction and,
 - (b) Display in a conspicuous place a public notice to that effect.

FOR MAINTAINING CLEANLINESS

12. 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 and unloading of goods required in connection with the stall, to be placed in a receptacle provided or approved by the Council for the purpose of his exclusive use;
 - (c) As often as is necessary cause the contents of such receptacle to be removed, without creating a nuisance or obstruction, to such place or deposit within the market place as shall be designated therefore by the Council and indicated by a public notice to that effect displayed in a conspicuous place.

FOR PRESERVATION OF ORDER

13. 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.

14. No person shall light a fire in any part of the market place.
15. The tenant or occupier of a stall in the market place or the market hall shall extinguish every light used in connection with the stall not later than 30 minutes after the market closes.
16. 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.
17. No person, other than an officer or servant of the Council acting in the property execution of his duty, shall 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.

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

EXPLOSIVES

19. 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.

ANIMALS

20. No person shall bring into or allow to remain :-
 - (a) In the market place any dog or 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 or under his control, or
 - (b) In the market hall any dog or animal belonging to him or in his charge:

Provided that nothing in this byelaw shall prevent a blind person from bringing into the market hall and keeping with him any guide dog belonging to him or in his charge.

PENALTIES

21. Any person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding £50.

REVOCATION

22. The byelaws relating to their markets which were made by the Borough Council of Darlington on the 2nd day of April, 108 and allowed by the Local Government Board on the 30th day of Mary, 1908 are hereby revoked.

GIVEN under the common seal of the Council of the Borough of Darlington this 2nd day of October, 1986.

THE COMMON SEAL of the Council
was hereunto affixed in the presence of :-

K. Fairer
Mayor

H.R.C. Owen
Chief Executive

DET 6511

The foregoing byelaws are hereby confirmed by the Secretary of State for the Environment and shall come into force on 1st September 1987.