



## 2001 CHAPTER 8

### *Miscellaneous*

#### **Power to remove receptacles**

**23.—(1)** Where any receptacle used by the holder of a street trading licence or a temporary licence is not removed to a place of storage on the cessation of trading on any day, a council may cause it to be so removed and recover from the licence holder the costs reasonably incurred by the council in removing and storing the receptacle.

(2) Any charges incurred by a council in pursuance of subsection (1) shall be payable by the licence holder before the return of the receptacle to him.

(3) The provisions of subsection (1) are without prejudice to the power of the council to take other enforcement action against the licence holder for any breach of the conditions of his licence arising from the failure to remove the receptacle.

(4) Where—

- (a) a receptacle has been removed by a council under subsection (1), and
- (b) the licence holder has not recovered it within 3 months from the date of its removal,

the council may take such steps as are reasonable to sell it or to dispose of it in such other manner as the council thinks fit.

#### **Employment of assistants**

**24.—(1)** Subject to subsection (2), the holder of a street trading licence or a temporary licence may employ any other person to assist him in the conduct of his business without a further licence being required.

(2) Nothing in subsection (1) shall prejudice Article 135(4) of the [Children \(Northern Ireland\) Order 1995 \(NI 2\)](#) (children not to engage in or be employed in street trading).

(3) If any person employed by a licence holder fails to comply with the conditions specified in the street trading licence or temporary licence held by his employer, such failure shall also be deemed to be a failure by the licence holder.

(4) Subsection (3) shall have effect whether or not the licence holder is present at the time of the failure.