



2001 CHAPTER 8

Enforcement

Unlicensed street trading

17.—(1) A person who—

- (a) engages in street trading in a district and is not the holder of a street trading licence or a temporary licence granted by the council for the district;
- (b) is the holder of a street trading licence and contravenes a condition of a kind specified in paragraph (a) or (c) of section 7(1); or
- (c) is the holder of a temporary licence and engages in street trading on a day or in a place not specified in that temporary licence;

shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(2) Where, in any proceedings for an offence under this section, it is shown that any article or thing was displayed (whether or not in or on any receptacle) in any street, the article or thing shall be presumed to have been exposed for sale by the person having, or appearing to have, possession or control of it at such time and in such position as it was displayed, unless it is shown to the satisfaction of the court that the article or thing was brought into the street for some purpose other than that of selling it in the street.

(3) Where, in any proceedings for an offence under this section, it is shown that any receptacle or equipment used in the supply of any service was available in any street in such circumstances that an offer to supply the service was being made, the person having, or appearing to have, possession or control of the receptacle or equipment shall be presumed to have offered to supply the service at such time and in such position as the receptacle or equipment was available, unless it is shown to the satisfaction of the court that the receptacle or equipment

was brought into the street for some purpose other than that of offering to supply the service in the street.