

AUCTION HOUSES CONDITIONS

CONDITIONS MADE BY THE LONDON BOROUGH OF REDBRIDGE PURSUANT TO SECTION 28(3) OF THE GREATER LONDON COUNCIL (GENERAL POWERS) ACT 1984 APPLICABLE TO PREMISES REGISTERED FOR THE SALE OF GOODS BY COMPETATIVE BIDDING UNDER PART VI GREATER LONDON COUNCIL (GENERAL POWERS) ACT 1984.

Definitions

1. In these conditions save where the context otherwise requires the following expressions shall have the following meanings:
 - a) "Sale of goods by way of competitive bidding" and "relevant sale" means any sale of prescribed articles at which the persons present, or some of them, are invited to buy articles by way of competitive bidding, references to selling goods by way of competitive bidding shall be constructed accordingly and "competitive bidding" includes any mode of sale whereby prospective purchasers may be enabled to compete for the purchase of articles, whether by way of increasing bids or by the offer of articles to be bid for at successively decreasing prices or otherwise.
 - b) "Prescribed articles" means any plate plated articles, linen china glass, books, prints, furniture, jewellery articles of household or personal use or ornament or any musical or scientific instrument or apparatus.
 - c) "Premises" includes land.
 - d) "Stall" includes any stand, marquee, tent, vehicle (whether mobile or not), site or pitch from which prescribed articles are sold.
 - e) "Council" means London Borough of Redbridge.
 - f) "The Registrant" means the person (person includes a corporation) names on the Council's register as the holder of a registration under Part VI of the 1984 Act being the occupier of, or person intending to occupy premises, or, in the case of a stall, the proprietor of, or person, proposing to become the proprietor of such stall.
 - g) "The 1984 Act" means the Greater London Council (General Powers) Act 1984.
 - h) The masculine gender includes the feminine gender and neuter and vice-versa.

General

2. Registration of a stall or premises for sale of goods by way of competitive bidding shall not be deemed to confer any approval or consent which may be required under any byelaw, enactment, order or regulation other than Part VI of the 1984 Act.
3. The marginal notes inserted in these conditions are inserted for the purposes of convenience only and shall not affect in any way the meaning or construction thereof.

Death of Registrant

4. Registration of a stall or premises for competitive bidding is not transferable by the Registrant save in the case of his death when his personal representative may retain the benefit thereof for three months which may only be exceeded with the written consent of the Council.

Conduct of Sales

5. All relevant sales on premises are to be conducted and managed by the Registrant or a Director of the Registrant or his partner in the same business or his full-time employee or the full-time employee of the holding company of the Registrant or any fellow subsidiary of such holding company save as provided in Condition 6.

Prior Notification of Sales - Premises

6. A relevant sale on premises may be conducted and managed by a person otherwise than as required by Condition 5 provided that the Registrant or any other person concerned in the conduct or management of the premises has sent written notification to the Head of Inspection, Directorate of Personal Services, London Borough of Redbridge not less than seven days before a relevant sale is to take place including within such notification particulars of the date, time and duration of the relevant sale the name of the person having conduct or management of the relevant sale the name of the auction and the Council's registration number of the premises.

Prior Notification of Sales - Stalls

7. Written notice of all relevant sales at a stall must be sent by the Registrant to the Head of Inspection, Directorate of Personal Services, London Borough of Redbridge not less than seven days before a relevant sale is to take place including with such notification particulars of the date, time and duration of the relevant sale, the name of the person having conduct and management of the relevant sale, the name of the auctioneer and the Council's registration number of the stall.

Disclosure of Name and Address - Documents

8. The Registrant or any other person having the conduct or management of the premises or stall shall ensure that their full name and address for the service of documents appears in all publicity and other written material relating to a relevant sale.

Disclosure of Name and Address - Sale

9. The Registrant or any other person having the conduct or management of the premises or stall shall prominently display his name and address at the premises with a copy of these conditions.

Election of use of Code of Practice

10. The Registrant or any other person having the conduct or management of the premises or stall upon giving a written undertaking to comply with a Code of Practice approved by the Council for any relevant sale be exempted from the requirements of paragraphs 12 and 13 below.

Compliance with Code of Practice

11. The Registrant or any other person having the conduct or management of the premises and who has given an undertaking in paragraph 10 above shall comply with the said Code of Practice.

Good Faith

12. The Registrant or any other person having the conduct or management of the premises or stall shall ensure that any relevant sale is conducted in good faith and with due regard to the interests of both buyer and seller.

Non-exclusion of Rights, etc

13. The Registrant or any other person having the conduct or management of the premises or stall shall ensure that no oral or written representation or warranties given in respect of a relevant sale restrict or exclude the rights of the buyer in relation to goods sold being rights or obligations that arise if the goods are defective or are not fit for the purpose or do not correspond with the description given.

Mock Auctions

14. The Registrant or any other person having the conduct or management of the premises or stall shall not allow the same to be used for the purposes of a mock auction as defined by the Mock Auctions Act 1961.

Public Safety

15. The Registrant or any other person having the conduct or management of the premises or stall shall ensure that the premises or stall are maintained in good repair and condition, and shall take all reasonable precautions for the safety of the public in areas to which they have access.

Public Order

16. The Registrant or any other person having the conduct or management of the premises or stall shall ensure that good order is maintained in areas to which the public have access.

Fire Prevention

17. The Registrant or any other person having the conduct or management of the premises or stall shall comply with any fire prevention and safety measures that may be required of him from time to time and in addition shall comply with any specific fire safety requirements sent to him in writing by the Fire Authority.

Means of Escape

18. The means of escape provided for all persons on the premises or stall shall be maintained un-obstructed and immediately available. Where seating is provided clear gangways to exits shall be maintained.

Lighting

19. The Registrant or any other person having the conduct or management of the premises shall ensure that all parts of the premises or stall used by the public are adequately lit during the whole time that the public are admitted.

Egress of the Public

20. No restriction shall be placed on the ability of the public to leave the premises or stall during the course of a relevant sale.

Additional Conditions

21. The Registrant or any other person having the conduct or management of the premises shall ensure that no "bird, fish, reptile, or any animal, which includes any description of vertebrate, insect or spider", be allowed to be sold or displayed upon the premises, whether by competitive bidding or otherwise.
22. The Registrant or any other person having the conduct or management of the premises shall ensure that no motor vehicles or motor cycles adapted for road or off road use, namely, motor cars or vans, motorised homes or caravans be sold upon the premises whether by competitive bidding or otherwise.
23. The Registrant or any other person having the conduct or management of the premises shall ensure that no "article of food or drink whether processed for final consumption or forming part of an ingredient or in its raw state", be sold upon the premises whether by competitive bidding or otherwise, save for those items sold for refreshment purposes from and within that part of the building so designated and approved as a refreshment and café area.
24. The Registrant or any person having the conduct or management of the premises shall ensure that no member of the public remains on the premises after 22.00 hours on the day of the sale and that no sale shall take place on Sundays, Good Friday, Christmas or Boxing Day.
25. The Registrant shall ensure that all conditions imposed by the London Fire & Emergency Planning Authority are complied with and shall inform the London Borough of Redbridge upon satisfactory completion of any works or requirements as imposed.