

ANGUS COUNCIL

ENVIRONMENTAL AND CONSUMER PROTECTION COMMITTEE – 26 SEPTEMBER 2000
CIVIC LICENSING COMMITTEE - 26 SEPTEMBER 2000

CAR BOOT SALES – SURVEY IN ANGUS

REPORT BY DIRECTOR OF ENVIRONMENTAL AND CONSUMER PROTECTION

ABSTRACT

This report, and attached survey report, advise the Committee in regard to some of the problems which face consumers who purchase goods at car boot sales.

1. RECOMMENDATION

It is recommended that the Committee note this report for its interest.

2. BACKGROUND

A recent survey of car boot sales in Angus has confirmed that such sales are frequented by traders, and that some form of control over their activities would be desirable.

Second-hand goods such as electrical equipment, toys, cycle helmets and car seats can be purchased and subsequently present problems for the purchaser in respect of safety.

Age-restricted products such as cigarette lighter refills, videos etc.; and counterfeit items are in evidence at such sales. More control over the holding of such events would help protect unwitting shoppers

Last year COSLA suggested to the Scottish Executive that amendments to the Civic Government (Scotland) Act 1982, be made to include the requirement that car boot sales organisers notify local authorities in advance; and subsequently submit details of those sellers who attended the event. This would firstly give our department some warning so that visits could be arranged, and secondly allow follow up contact if safety or other issues arose with purchases at a sale.

Currently, there are regulatory provisions in relation to such sales in that if second-hand goods are being sold by way of business, a licence from the Council under the above Act would be required subject to exemptions such as registered charitable businesses.

In addition, persons operating a private market require a market operator's licence from the Council. Conditions of the licence require, inter alia, that a complete list of traders be supplied to the Council not less than 48 hours before the market is held. Again exemptions for the need of a licence include charitable, recreational or community organisations.

Accordingly no such regulation exists for such exempted markets. The COSLA recommendation for car boot sales is a half-way house provision falling short of requiring a licence but requiring notification and information to be provided to the Council.

One further issue is the impact car boot sales have on local businesses. With traders at such events able to make between £80 to £900 in a weekend, some local businesses are bound to lose out.

No-one wishes to see the genuine private seller miss a selling opportunity, but traders may need the aforementioned second hand dealers licence; and they have an added responsibility to consumers to sell goods which are of satisfactory quality, and are safe.

A copy of the survey report is attached.

3. FINANCIAL IMPLICATIONS

There are no direct financial implications in respect of this report.

4. CONSULTATION

The Chief Executive, The Director of Law & Administration, and The Director of Finance have been consulted on the contents of this report.

S R Heggie
Director of Environmental & Consumer Protection

JM/HA

11.9.00

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information were relied on to any material extent in preparing this report)