

Status: Point in time view as at 22/07/2020.

Changes to legislation: There are currently no known outstanding effects for the Local Government (Miscellaneous Provisions) Act 1982, Cross Heading: Street trading consents. (See end of Document for details)

SCHEDULES

SCHEDULE 4

STREET TRADING

Modifications etc. (not altering text)

- C1** Sch. 4: functions of local authority not to be the responsibility of an authority's executive (E.) (16.11.2000) by virtue of [S.I. 2000/2853, reg. 2\(1\)](#), [Sch. 1](#)
Sch. 4 applied (with modifications) (21.12.2000) by [City of Newcastle upon Tyne Act 2000 \(c. viii\)](#), [ss. 3, 4](#)
- C1** Sch. 4 applied (with modifications) (28.10.2004) by [Medway Council Act 2004 \(c. v\)](#), [s. 4](#)
- C1** Sch. 4 applied (with modifications) (11.7.2006) by [Leicester City Council Act 2006 \(c. ii\)](#), [ss. 3, 4](#)
Sch. 4 applied (with modifications) (11.7.2006) by [Liverpool City Council Act 2006 \(c. iii\)](#), [ss. 3, 4](#)
Sch. 4 applied (with modifications) (11.7.2006) by [Maidstone Borough Council Act 2006 \(c. iv\)](#), [ss. 3, 4](#)
- C1** Sch. 4 modified (28.12.2009) by [The Provision of Services Regulations 2009 \(S.I. 2009/2999\)](#), [regs. 1\(2\), 45\(2\)\(3\)](#) (with [regs. 2, 5](#))
- C1** Sch. 4 applied (with modifications) (8.4.2010) by [Bournemouth Borough Council Act 2010 \(c. ii\)](#), [s. 4](#)
- C1** Sch. 4 applied (with modifications) (8.4.2010) by [Manchester City Council Act 2010 \(c. iii\)](#), [ss. 4, 5](#)
- C1** Sch. 4 applied (with modifications) (28.2.2013) by [Reading Borough Council Act 2013 \(c. iv\)](#), [ss. 4, 5](#)
- C1** Sch. 4 applied (with modifications) (28.2.2013) by [Nottingham City Council Act 2013 \(c. iii\)](#), [ss. 4, 5](#)
- C1** Sch. 4 applied (with modifications) (28.2.2013) by [Leeds City Council Act 2013 \(c. ii\)](#), [s. 4](#) (with [s. 3](#))
- C1** Sch. 4 applied (with modifications) (28.2.2013) by [Canterbury City Council Act 2013 \(c. i\)](#), [s. 4](#) (with [s. 3](#))
- C1** Sch. 4 restricted (temp.) (22.7.2020) by [Business and Planning Act 2020 \(c. 16\)](#), [ss. 7\(3\)\(a\), 25\(1\)](#) (with [ss. 7\(4\), 10](#))

Street trading consents

- 7 (1) An application for a street trading consent or the renewal of such a consent shall be made in writing to the district council.
- (2) Subject to sub-paragraph (3) below, the council may grant a consent if they think fit.
- (3) A street trading consent shall not be granted—
- (a) to a person under the age of 17 years; or
 - (b) for any trading in a highway to which a control order under section 7 of the ^{M1}Local Government (Miscellaneous Provisions) Act 1976 is in force, other than trading to which the control order does not apply.
- (4) When granting or renewing a street trading consent the council may attach such conditions to it as they consider reasonably necessary.
- (5) Without prejudice to the generality of sub-paragraph (4) above, the conditions that may be attached to a street trading consent by virtue of that sub-paragraph include conditions to prevent—
- (a) obstruction of the street or danger to persons using it; or

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- (b) nuisance or annoyance (whether to persons using the street or otherwise).
- (6) The council may at any time vary the conditions of a street trading consent.
- (7) Subject to sub-paragraph (8) below, the holder of a street trading consent shall not trade in a consent street from a van or other vehicle or from a stall, barrow or cart.
- (8) The council may include in a street trading consent permission for its holder to trade in a consent street—
 - (a) from a stationary van, cart, barrow or other vehicle; or
 - (b) from a portable stall.
- (9) If they include such a permission, they may make the consent subject to conditions—
 - (a) as to where the holder of the street trading consent may trade by virtue of the permission; and
 - (b) as to the times between which or periods for which he may so trade.
- (10) A street trading consent may be granted for any period not exceeding 12 months but may be revoked at any time.
- (11) The holder of a street trading consent may at any time surrender his consent to the council and it shall then cease to be valid.

Marginal Citations

M1 1976 c. 57.

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