



# Local Government (Miscellaneous Provisions) Act 1982

## 1982 CHAPTER 30

### PART X

#### HIGHWAYS

#### 23 Control of road-side sales.

The following section shall be inserted after section 147 of the <sup>M1</sup>Highways Act 1980—

**“147A Road-side sales.**

- (1) Subject to subsection (4) below, no person shall, for the purpose of selling anything, or offering or exposing anything for sale, use any stall or similar structure or any container or vehicle, kept or placed on—
  - (a) the verge of a trunk road or a principal road ;
  - (b) a lay-by on any such road ; or
  - (c) unenclosed land within 15 metres of any part of any such road,where its presence or its use for that purpose causes or is likely to cause danger on the road or interrupts or is likely to interrupt any user of the road.
- (2) Any person who contravenes this section shall be guilty of an offence and liable on summary conviction to a fine not exceeding £200.
- (3) It shall be a defence for a person charged with an offence under this section to prove that he took all reasonable precautions and exercised all due diligence to avoid commission of the offence.
- (4) This section does not apply—
  - (a) to the sale or offer or exposure for sale of things from or on a vehicle which is used for the purposes of itinerant trading with occupiers of

---

**Changes to legislation:** There are currently no known outstanding effects for the Local Government (Miscellaneous Provisions) Act 1982, Section 23. (See end of Document for details)

---

premises, or is used only for that purpose and for purposes other than trading ;

- (b) to the sale or offer or exposure for sale of newspapers ;
- (c) to anything done at a market in respect of which tolls, stallages or rents are payable ; or
- (d) to the sale or offer or exposure for sale of anything by way of street trading which has been authorised under Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 or under any local enactment which makes provision similar to that made by that Schedule, either by the person so authorised or by a person acting as assistant to the person so authorised.”.

---

**Modifications etc. (not altering text)**

- C1** The text of ss. 20–23 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

---

**Marginal Citations**

- M1** 1980 c. 66.

**Changes to legislation:**

There are currently no known outstanding effects for the Local Government (Miscellaneous Provisions) Act 1982, Section 23.