



# London Local Authorities Act 2007

## 2007 CHAPTER ii

### PART 3

#### LICENSING

### CHAPTER 2

#### STREET TRADING

#### *London Local Authorities Act 1990*

### **38 Interpretation of Part III of Act of 1990**

- (1) Section 21 (interpretation of Part III) of the Act of 1990 is amended as follows.
- (2) For the definition of “itinerant ice cream trading” there is substituted—

“itinerant ice cream trading” means ice cream trading from a vehicle which goes from place to place remaining in any one location in the course of trading for periods of 15 minutes or less and not returning to that location or any other location in the same street on the same day;”.
- (3) In paragraph (b) of the definition of “street”, for “have access without payment”, there is substituted “obtain access without payment—
  - (i) whether or not they need the consent of the owner or occupier; and
  - (ii) if they do, whether or not they have obtained it;”.
- (4) In the definition of “street trading”—
  - (a) for “subsection (2)” substitute “subsections (1A) and (2)”;
  - (b) after “gain or reward”, the words “(whether or not the gain or reward accrues to the person actually carrying out the trading)” are inserted.
- (5) After subsection (1), the following subsection is inserted—

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*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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“(1A) In determining whether activity amounts to street trading for the purposes of this Act, the fact that—

- (a) a transaction was completed elsewhere than in a street in the case where the initial offer or display of the articles in question or the offer of services, as the case may be, took place in a street;
- (b) either party to the transaction was not in a street at the time it was completed;
- (c) the articles actually sold or services actually supplied, as the case may be, were different from those offered,

shall be disregarded.”.

(6) Paragraphs (f) and (g) of subsection (2) are omitted.