



# London Local Authorities Act 2007

## 2007 CHAPTER ii

### PART 3

#### LICENSING

### CHAPTER 2

#### STREET TRADING

#### *London Local Authorities Act 1990*

#### **44 Unlicensed street trading under Act of 1990**

- (1) Section 38 (unlicensed street trading) of the Act of 1990 is amended as follows.
- (2) In subsection (4)—
  - (a) at the beginning, the words “Subject to section 38A (seizure of perishable items) of this Act”, are inserted;
  - (b) the proviso is omitted.
- (3) In subsection (4C)—
  - (a) in paragraph (a), at the beginning, the words “Subject to section 38B (motor vehicles) of this Act,” are inserted;
  - (b) in paragraph (e), for “identify that person and” substitute “identify that person or”;
  - (c) for paragraph (f) substitute—
    - “(f) paragraph (g) below applies where the article, thing, receptacle or equipment is not returned because—
      - (i) it has not proved possible to identify the person from whom it was seized or ascertain his address; or
      - (ii) the person from whom it was seized and the owner (if different) have disclaimed or refused to accept it.

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**Status:** This is the original version (as it was originally enacted).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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- (g) where this paragraph applies, the council may make a complaint to the magistrates' court for a disposal order under section 38C (disposal orders) of this Act (whether or not proceedings for an offence under this section have been commenced).”.