



# Nottingham City Council Act 2013

## 2013 CHAPTER iii

### *Application of 1982 Act*

#### **5 Pedlars**

- (1) In their application to a designated area of the city, the provisions of Schedule 4 to the 1982 Act shall apply with the modifications set out in subsections (2) and (3).
- (2) In paragraph 1(2)(a), there are inserted, after the reference to the Pedlars Act 1871, the words “provided the trading is carried out in accordance with subparagraph (2A) below”.
- (3) After paragraph 1(2), the following sub-paragraphs are inserted—
  - “(2A) Trading is carried on in accordance with this sub-paragraph if—
    - (a) it is carried out only by means of visits from house to house; or
    - (b) it does not include the trading of tickets and all articles intended to be used for any purpose connected with the trading are carried in either or both of the following ways—
      - (i) they are carried, without any other means of support, by the holder of the pedlar’s certificate during the time in which the trading takes place; or
      - (ii) they are carried in a single, wheeled trolley which is pushed or pulled by the holder of the pedlar’s certificate and in relation to which the condition specified in subparagraph (2B) is fulfilled and, if applicable, the condition specified in sub-paragraph (2C) is fulfilled.
  - (2B) The condition of this sub-paragraph is that the trolley (excluding its handle and any display of articles on the trolley) does not at any point exceed—
    - (a) a width of 0.75 metres;
    - (b) a depth (front to back) of 0.5 metres;
    - (c) a height of 1.25 metres.

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*Status: This is the original version (as it was originally enacted).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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- (2C) The condition of this sub-paragraph is that if articles are displayed on the trolley, the trolley (including its handle) and the display together must not at any point exceed—
- (a) a width of 0.88 metres;
  - (b) a depth (front to back) of 0.83 metres;
  - (c) a height of 1.63 metres.
- (2D) Dimensions for the purposes of sub-paragraphs (2B) and (2C) are those measured in a horizontal plane (for width and depth) and a vertical plane (for height) when the trolley is in its intended resting position.
- (2E) In sub-paragraphs (2A) to (2D) “trolley” means any item designed or adapted for use as a container for articles and in sub-paragraph (2B) to (2D) “display” includes, as well as the articles displayed, any stand, board, structure or other thing attached to the trolley and used to display the articles.”.
- (4) Nothing in this section shall be taken to extend the range of activities that comprise acting as a pedlar.
- (5) In subsection (1) a “designated area” means an area of the city designated for the purposes of this section by resolution of the council in accordance with subsections (7) and (8).
- (6) A designation for the purposes of this section shall have effect at all times or during such periods as may be specified in the resolution.
- (7) The council may designate an area for the purposes of this section only if it has reason to believe that it is necessary to do so to ensure road safety or prevent obstruction of the highway.
- (8) The provisions of sub-paragraphs (2) to (10) and (13) of paragraph 2 of Schedule 4 to the 1982 Act shall apply to a resolution under this section as they apply to a resolution under that paragraph but as if—
- (a) in sub-paragraph (2) for “street” there were substituted “area”;
  - (b) in sub-paragraph (3)(b) for “the street” there were substituted “the area” and for “that street” there were substituted “a street in that area”;
  - (c) in sub-paragraph (4) for “to a street” there were substituted “to an area containing a street” and for “designates as a licence street” there were substituted “relates to an area containing”;
  - (d) in sub-paragraph (8) for “such” to the end of the sub-paragraph there were substituted “a resolution for the purposes of section 5 of the Nottingham City Council Act 2013 which relates to the area or any part of it”.