



# Local Government (Miscellaneous Provisions) Act 1982

## 1982 CHAPTER 30

### SCHEDULE 4 *textual extract* STREET TRADING

#### Annotations: ?

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

- C8 Sch.4: functions of local authority not to be responsibility of an executive of the authority (E.) (16.11.2000) by virtue of S.I. 2000/2853, reg. 2(1), Sch. 4 applied (with modifications) *prosp* by 2000 c. viii, ss. 3, 4

*Interpretation* **proposed textual update dated 5 June 2012**

1 (1) In this Schedule—

“consent street” means a street in which street trading is prohibited without the consent of the district council;

“licence street” means a street in which street trading is prohibited without a licence granted by the district council;

“principal terms”, in relation to a street trading licence, has the meaning assigned to it by paragraph 4(3) below;

“prohibited street” means a street in which street trading is prohibited;

“street” includes—

- (a) any road, footway, beach or other area to which the public have access without payment; and
- (b) a service area as defined in section 329 of the **M18** Highways Act 1980,

and also includes any part of a street;

“street trading” means, subject to sub-paragraph (2) below, the selling or exposing or offering for sale of any article (including a living thing) in a street; and  
*or service (meaning any self-employed economic activity)*

“subsidiary terms”, in relation to a street trading licence, has the meaning assigned to it by paragraph 4(4) below.

(2) The following are not street trading for the purposes of this Schedule—

- (a) trading by a person acting as a pedlar under the authority of a pedlar’s certificate granted under the **M19** Pedlars Act 1871; *if the trading is carried out only by means of visits from house to house, subject to the following mode of operation-*
  - i. the means of visits from house to house are ambulant means of trading as distinct from static means of trading,
  - ii. trading at any premises adjoining a street or in any public place including a street,
  - iii. not being restricted by designation of streets for licensed street trading,
  - iv. goods or tools of handicraft being carried on the person or in a carrying device of a pedestrian scale and proportion which is pushed or pulled by the person,
  - v. subject to not remaining in one static position whilst not engaged in continuous trading,
  - vi. not requiring a street trader’s licence to trade in the street
  - vii. not requiring a certificate for door to door sales under the value of £35
  - viii. foodstuff trading to require current registration with local Environmental Health Department.
- (b) anything done in a market or fair the right to hold which was acquired by virtue of a grant (including a presumed grant) or acquired or established by virtue of an enactment or order.
- (c) trading in a trunk road picnic area provided by the Secretary of State under section 112 of the **M20** Highways Act 1980;
- (d) trading as a news vendor;
- (e) trading which—
  - (i) is carried on at premises used as a petrol filling station; or
  - (ii) is carried on at premises used as a shop or in a street adjoining premises so used and as part of the business of the shop;
- (f) selling things, or offering or exposing them for sale, as a roundsman;
- (g) the use for trading under Part VIIA of the Highways Act 1980 of an object or structure placed on, in or over a highway;
- (h) the operation of facilities for recreation or refreshment under Part VIIA of the Highways Act 1980;
- (j) the doing of anything authorised by regulations made under section 5 of the **M21** Police, Factories, etc. (Miscellaneous Provisions) Act 1916.



# London Local Authorities Act 1990 *textual extract*

## CHAPTER vii

### PART III STREET TRADING

21.—(1) In this Part of this Act—

Interpretation of Part III.

(2) The following are not street trading for the purposes of this Part of this Act:—

(a) trading by a person acting as a pedlar under the authority of a Pedlar's Certificate granted under the Pedlars Act 1871;

1871 c. 96.



# London Local Authorities Act 2004

## 2004 CHAPTER i *textual extract*

### 20 Street trading

(1) Part III (Street trading) of the [London Local Authorities Act 1990 \(c. vii\)](#) is amended in accordance with Schedule 4 to this Act.

### SCHEDULE 4 *proposed textual update 5 June 2012*

Section 20

#### AMENDMENTS TO PART III (STREET TRADING) OF THE [LONDON LOCAL AUTHORITIES ACT 1990 \(c. vii\)](#)

#### Section 21 (Interpretation of Part III)

1 In subsection (1) of section 21 for the definition of "street trading" the following definition is substituted—

"street trading" means subject to subsection (2) below—

- (a) the selling or the exposure or offer for sale of any article (including a living thing); and
- (b) the purchasing of or offering to purchase any ticket; and
- (c) the supplying of or offering to supply any service. [\(meaning any self-employed economic activity\)](#),  
in a street for gain or reward;".

2 In subsection (2) of section 21—

- (a) in paragraph (a), at the end, the words ", if the trading is carried out only by means of visits from house to house" are inserted; and subject to the following mode of operation-
  - i. the means of visits from house to house are ambulant means of trading as distinct from static means of trading,
  - ii. trading at any premises adjoining a street or in any public place including a street,
  - iii. not being restricted by designation of streets for licensed street trading,
  - iv. goods or tools of handicraft being carried on the person or in a carrying device of a pedestrian scale and proportion which is pushed or pulled by the person,
  - v. subject to not remaining in one static position whilst not engaged in continuous trading,
  - vi. not requiring a street trader's licence to trade in the street
  - vii. not requiring a certificate for door to door sales under the value of £35
  - viii. foodstuff trading to require current registration with local Environmental Health Department.