



City of Westminster Act 1999

1999 CHAPTER i

4 Itinerant ice cream trading

- (1) Nothing in this Act shall apply to itinerant ice cream trading in any street unless—
 - (a) that street is a licence street; or
 - (b) the street has been designated as a prohibited street under the following provisions of this section.
- (2) If at any time it is necessary to prohibit itinerant ice cream trading in any street in the city which is not a licence street in the interests of preventing a safety hazard, obstruction to traffic or undue interference or inconvenience to persons using that street, the council may by resolution designate the street as a prohibited street and may from time to time rescind or vary any such resolution.
- (3) The council shall not pass such a resolution unless they have first given notice in writing of their intention to do so—
 - (a) to the Commissioner;
 - (b) to the highway authority (except where the council is the highway authority); and
 - (c) to any body which appears to the council to be representative of persons carrying on ice cream trading in the area affected by the proposed resolution.
- (4) The notice shall—
 - (a) give details of the proposed resolution and the reasons for it; and
 - (b) state that representations may be made regarding the proposed resolution by the date specified in the notice as the due date which shall be not less than 42 days after the notice has been given.
- (5) As soon as practicable after the due date the council shall consider all representations received by that date and may at their discretion consider representations received after that date.
- (6) The council shall give to any person who makes representations by the due date an opportunity to make oral representations to the council and may at their discretion give to other persons making representations a similar opportunity.

Status: This is the original version (as it was originally enacted).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

- (7) The council may pass the proposed resolution, with any modifications they consider appropriate as a result of any representations received under this section.
- (8) As soon as practicable after passing a resolution under subsection (7) above, the council shall by notice in writing inform all persons given notice of the proposed resolution.