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Local Government (Miscellaneous Provisions) Act 1982

CHAPTER 30

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

PART I

LICENSING OF PUBLIC ENTERTAINMENTS

- 1 Licensing of public entertainments.

PART II

CONTROL OF SEX ESTABLISHMENTS

- 2 Control of sex establishments.

PART III

STREET TRADING

- 3 Power of district council to adopt Schedule 4.

PART IV

CONTROL OF REFRESHMENT PREMISES

Take-away food shops

- 4 Closing hours for take-away food shops.
- 5 Closing orders etc.—procedure and appeals.
- 6 Contraventions of closing orders.

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Late night refreshment houses

- 7 Refreshments etc. on licensed premises.

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- 9 Application of section 10.
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- 12 General provisions relating to byelaws.

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- 13 Application of Part VIII.
- 14 Acupuncture.
- 15 Tattooing, ear-piercing and electrolysis.
- 16 Provisions supplementary to ss. 14 and 15.
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- 18, 19

PART X

HIGHWAYS

- 20 Highway amenities.
- 21 Prosecutions for offences relating to works in street.
- 22 Control of construction under streets.
- 23 Control of road-side sales.

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- 24, 25
- 26
- 27 Powers to repair drains etc. and to remedy stopped-up drains etc.
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- 29 Protection of buildings.
- 30 Buildings on operational land of British Railways Board and certain statutory undertakers.
- 31 Appeals against notices.
- 32 Applications to court in respect of expenses of works.

PART XII

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- 33 Enforceability by local authorities of certain covenants relating to land.
- 34 Local land charges registers—computerisation etc.
- 35, 36
- 37 Temporary markets.
- 38 Work undertaken by local authorities and development bodies under certain agreements with Manpower Services Commission.
- 39 Insurance etc. of local authority members and persons voluntarily assisting local authorities and probation committees.
- 40 Nuisance and disturbance on educational premises.
- 41 Lost and uncollected property.
- 42
- 43 Advances for acquisition of land, erection of buildings or carrying out of works.
- 44 Definition of certain local authority expenditure.
- 45 Arrangements under Employment and Training Act 1973.
- 46 Extension of duration of local Act powers to assist industry etc.

PART XIII

SUPPLEMENTARY

- 47 Minor amendments and repeals.
- 48 Consequential repeal or amendment of local statutory provisions.
- 49 Citation and extent.

SCHEDULES

SCHEDULE 1 — Licensing of Public Entertainments

Grant, renewal and transfer of entertainments licences

- 1 (1) An entertainment to which this paragraph applies shall not...
- 2 (1) Subject to sub-paragraphs (2) and (3) below, no premises...
- 3 (1) This paragraph applies to any public musical entertainment which...
- 4 (1) An entertainment to which paragraph 3 above applies shall...
- 5 (1) Subject to paragraphs 8 and 17 below, any entertainments...
- 6 (1) An applicant for the grant, renewal or transfer of...
- 6A (1) This paragraph applies where the authority by whom an...
- 7 (1) Subject to sub-paragraphs (2) and (3) below, an applicant...
- 8 (1) Where, before the date of expiry of an entertainments...

Transmission and cancellation of entertainments licences

- 9 In the event of the death of the holder of...
- 10 The appropriate authority may, at the written request of the...

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Power to prescribe standard terms, conditions and restrictions

- 11 (1) The appropriate authority may make regulations prescribing standard conditions...

Enforcement

- 11A (1) This paragraph applies where the authority by whom an...
 12 (1) If any entertainment to which paragraph 1, 2 or...
 13 Where— (a) a special order of exemption has been granted...
 13A (1) Sub-paragraph (2) below applies where— (a) the Special Occasions...
 14 (1) Where— (a) a constable; or (b) an authorised officer...

Provisional grant of licences

- 15 (1) Where application is made to the appropriate authority for...

Variation of licences

- 16 (1) The holder of an entertainments licence may at any...
 16A An applicant for the variation of the terms, conditions or...

Appeals

- 17 (1) Any of the following persons, that is to say—...

Miscellaneous

- 18 Where a place in respect of which an entertainments licence...

Savings and transitional provisions

- 19 (1) Any licence relating to public entertainments which was granted...
 20 (1) Nothing in this Schedule shall affect—
 21 Nothing in this Schedule shall affect— (a) section 3 of...

Supplemental

- 22 In this Schedule— “the appropriate authority” means— in relation to...

SCHEDULE 2 — AMENDMENTS CONSEQUENTIAL ON SECTION 1

Hypnotism Act 1952 (c. 46)

- 1 For section 2(4) of the Hypnotism Act 1952 (control of...

Private Places of Entertainment (Licensing) Act 1967 (c. 19)

- 2 In section 1(1) of the Private Places of Entertainment (Licensing)...
 3 In section 2 of that Act (certain private places of...
 4 For Part I of the Schedule to that Act there...

Licensing Act 1964 (c. 26)

- 5 In section 79(1) of the Licensing Act 1964 (licensing authority’s...
 6 In section 201(1) of that Act for the words after...

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SCHEDULE 3 — Control of Sex Establishments

Saving for existing law

- 1 Nothing in this Schedule— (a) shall afford a defence to...

Meaning of “sex establishment”

- 2 In this Schedule “sex establishment” means a sex cinema or...

Meaning of “sex cinema”

- 3 (1) In this Schedule, “sex cinema” means any premises, vehicle,...

Meaning of “sex shop” and “sex article”

- 4 (1) In this Schedule “sex shop” means any premises, vehicle,...

Miscellaneous definitions

- 5 (1) In this Schedule— “the appropriate authority” means, in relation...

Requirement for licences for sex establishments

- 6 (1) Subject to the provisions of this Schedule, no person...
7 (1) Any person who— (a) uses any premises, vehicle, vessel...

Grant, renewal and transfer of licences for sex establishments

- 8 Subject to paragraph 12(1) below, the appropriate authority may grant...
9 (1) Subject to paragraphs 11 and 27 below, any licence...
10 (1) An application for the grant, renewal or transfer of...
11 (1) Where, before the date of expiry of a licence,...

Refusal of licences

- 12 (1) A licence under this Schedule shall not be granted—...

Power to prescribe standard conditions

- 13 (1) Subject to the provisions of this Schedule, the appropriate...

Copies of licences and standard conditions

- 14 (1) The holder of a licence under this Schedule shall...

Transmission and cancellation of licences

- 15 —In the event of the death of the holder of...
16 The appropriate authority may, at the written request of the...

Revocation of licences

- 17 (1) The appropriate authority may, after giving the holder of...

Variation of licences

- 18 (1) The holder of a licence under this Schedule may...

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Fees

- 19 An applicant for the grant, renewal or transfer of a...

Enforcement

- 20 (1) A person who— (a) knowingly uses, or knowingly causes...
 21 Any person who, in connection with an application for the...
 22 (1) A person guilty of an offence under paragraph 20...

Offences relating to persons under 18

- 23 (1) A person who, being the holder of a licence...

Powers of constables and local authority officers

- 24 If a constable has reasonable cause to suspect that a...
 25 (1) A constable may, at any reasonable time, enter and...

Offences by bodies corporate

- 26 (1) Where an offence under this Schedule committed by a...

Appeals

- 27 (1) Subject to sub-paragraphs (2) and (3) below, any of...

Provisions relating to existing premises

- 28 (1) Without prejudice to any other enactment it shall be...
 29 (1) This paragraph applies to an application for the grant...

Commencement of Schedule

- 30 (1) So far as it relates to sex cinemas, this...

SCHEDULE 4 — Street Trading

Interpretation

- 1 (1) In this Schedule— “consent street” means a street in...

Designation of streets

- 2 (1) A district council may by resolution designate any street...

Street trading licences

- 3 (1) An application for a street trading licence or the...
 4 (1) A street trading licence shall specify—
 5 (1) A district council may at any time revoke a...
 6 (1) When a district council receive an application for the...

Street trading consents

- 7 (1) An application for a street trading consent or the...

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General

- 8 The holder of a street trading licence or a street...
- 9 (1) A district council may charge such fees as they...

Offences

- 10 (1) A person who— (a) engages in street trading in...

Savings

- 11 Nothing in this Schedule shall affect— (a) section 13 of...

SCHEDULE 5 — HIGHWAY AMENITIES

Part I — ADDITION OF PART VIIA TO HIGHWAYS ACT 1980

- 1 The following shall be inserted after section 115 of the...

PART II

- 2, 3

SCHEDULE 6 — MINOR AMENDMENTS

- 1—3

- 4 In section 267 of that Act (application to ships and...

- 5 In section 346(1)(c) of that Act (by virtue of which,...

- 6

Planning

- 7

Direct labour

- 8 (1) The following subsection shall be added at the edn...

SCHEDULE 7 — REPEALS

PART I — REPEALS IN PUBLIC GENERAL ACTS IN CONSEQUENCE OF SECTION 1

PART II — REPEALS IN LOCAL ACTS IN CONSEQUENCE OF SECTION 1

PART III — REPEAL IN LOCAL ACT IN CONSEQUENCE OF SECTION 8

PART IV — REPEALS IN PUBLIC GENERAL ACTS IN CONSEQUENCE OF SECTION 11

PART V — REPEALS IN LOCAL ACTS IN CONSEQUENCE OF SECTION 12

PART VI — REPEALS IN LOCAL ACTS IN CONSEQUENCE OF SECTION 20.

PART VII — REPEALS IN LOCAL ACTS IN CONSEQUENCE OF SECTION 22

PART VIII — REPEALS IN LOCAL ACTS IN CONSEQUENCE OF SECTION 24

PART IX — REPEALS IN LOCAL ACTS IN CONSEQUENCE OF SECTION 26

PART X — REPEALS IN LOCAL ACTS IN CONSEQUENCE OF SECTION 27

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- PART XI — REPEALS IN LOCAL ACTS IN CONSEQUENCE OF SECTION 28
- PART XII — REPEALS IN LOCAL ACTS IN CONSEQUENCE OF SECTION 33
- PART XIII — REPEALS IN LOCAL ACTS IN CONSEQUENCE OF SECTION 34
- PART XIV — REPEALS IN LOCAL ACTS IN CONSEQUENCE OF SECTION 36
- PART XV — REPEALS IN LOCAL ACTS IN CONSEQUENCE OF SECTION 39
- PART XVI — MISCELLANEOUS REPEALS IN PUBLIC GENERAL ACTS

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