

SCHEDULES

SCHEDULE 4

STREET TRADING

Modifications etc. (not altering text)

- C1** Sch. 4: functions of local authority not to be the responsibility of an authority's executive (E.) (16.11.2000) by virtue of [S.I. 2000/2853, reg. 2\(1\)](#), [Sch. 1](#)
Sch. 4 applied (with modifications) (21.12.2000) by [City of Newcastle upon Tyne Act 2000 \(c. viii\)](#), [ss. 3, 4](#)
- C1** Sch. 4 applied (with modifications) (28.10.2004) by [Medway Council Act 2004 \(c. v\)](#), [s. 4](#)
- C1** Sch. 4 applied (with modifications) (11.7.2006) by [Leicester City Council Act 2006 \(c. ii\)](#), [ss. 3, 4](#)
Sch. 4 applied (with modifications) (11.7.2006) by [Liverpool City Council Act 2006 \(c. iii\)](#), [ss. 3, 4](#)
Sch. 4 applied (with modifications) (11.7.2006) by [Maidstone Borough Council Act 2006 \(c. iv\)](#), [ss. 3, 4](#)
- C1** Sch. 4 modified (28.12.2009) by [The Provision of Services Regulations 2009 \(S.I. 2009/2999\)](#), [regs. 1\(2\), 45\(2\)\(3\)](#) (with [regs. 2, 5](#))
- C1** Sch. 4 applied (with modifications) (8.4.2010) by [Bournemouth Borough Council Act 2010 \(c. ii\)](#), [s. 4](#)
- C1** Sch. 4 applied (with modifications) (8.4.2010) by [Manchester City Council Act 2010 \(c. iii\)](#), [ss. 4, 5](#)
- C1** Sch. 4 applied (with modifications) (28.2.2013) by [Reading Borough Council Act 2013 \(c. iv\)](#), [ss. 4, 5](#)
- C1** Sch. 4 applied (with modifications) (28.2.2013) by [Nottingham City Council Act 2013 \(c. iii\)](#), [ss. 4, 5](#)
- C1** Sch. 4 applied (with modifications) (28.2.2013) by [Leeds City Council Act 2013 \(c. ii\)](#), [s. 4](#) (with [s. 3](#))
- C1** Sch. 4 applied (with modifications) (28.2.2013) by [Canterbury City Council Act 2013 \(c. i\)](#), [s. 4](#) (with [s. 3](#))
- C1** Sch. 4 restricted (temp.) (22.7.2020) by [Business and Planning Act 2020 \(c. 16\)](#), [ss. 7\(3\)\(a\), 25\(1\)](#) (with [ss. 7\(4\), 10](#))

General

- 8 The holder of a street trading licence or a street trading consent may employ any other person to assist him in his trading without a further licence or consent being required.
- 9 (1) A district council may charge such fees as they consider reasonable for the grant or renewal of a street trading licence or a street trading consent.
- (2) A council may determine different fees for different types of licence or consent and, in particular, but without prejudice to the generality of this sub-paragraph, may determine fees differing according—
- to the duration of the licence or consent;
 - to the street in which it authorises trading; and
 - to the descriptions of articles in which the holder is authorised to trade.
- (3) A council may require that applications for the grant or renewal of licences or consents shall be accompanied by so much of the fee as the council may require, by way of a deposit to be repaid by the council to the applicant if the application is refused.

Changes to legislation: There are currently no known outstanding effects for the Local Government (Miscellaneous Provisions) Act 1982, Cross Heading: General. (See end of Document for details)

- (4) A council may determine that fees may be paid by instalments.
- (5) Where a consent is surrendered or revoked, the council shall remit or refund, as they consider appropriate, the whole or a part of any fee paid for the grant or renewal of the consent.
- (6) A council may recover from a licence-holder such reasonable charges as they may determine for the collection of refuse, the cleansing of streets and other services rendered by them to him in his capacity as licence-holder.
- (7) Where a licence—
 - (a) is surrendered or revoked; or
 - (b) ceases to be valid by virtue of paragraph 4(7) above,the council may remit or refund, as they consider appropriate, the whole or a part—
 - (i) of any fee paid for the grant or renewal of the licence; or
 - (ii) of any charges recoverable under sub-paragraph (6) above.
- (8) The council may determine—
 - (a) that charges under sub-paragraph (6) above shall be included in a fee payable under sub-paragraph (1) above; or
 - (b) that they shall be separately recoverable.
- (9) Before determining charges to be made under sub-paragraph (6) above or varying the amount of such charges the council—
 - (a) shall give notice of the proposed charges to licence-holders; and
 - (b) shall publish notice of the proposed charges in a local newspaper circulating in their area.
- (10) A notice under sub-paragraph (9) above shall specify a reasonable period within which representations concerning the proposed charges may be made to the council.
- (11) It shall be the duty of a council to consider any such representations which are made to them within the period specified in the notice.

Changes to legislation:

There are currently no known outstanding effects for the Local Government (Miscellaneous Provisions) Act 1982, Cross Heading: General.