

## SCHEDULE L9

### LONDON LOCAL AUTHORITIES ACT 1990 PART III AS HAVING EFFECT IN ACCORDANCE WITH SECTION 6 (STREET TRADING) OF THIS ACT

#### PART III

#### STREET TRADING

##### *Interpretation of Part III*

21 (1) In this Part of this Act—

“grant”, unless the context otherwise requires, includes renew and renewal, and cognate words shall be construed accordingly;

“ice cream trading” means the selling, exposing or offering for sale of goods consisting wholly or mainly of ice cream, frozen confectionary or other similar commodities from a vehicle;

“itinerant ice cream trading” means ice cream trading from a vehicle which goes from place to place remaining in any one location in the course of trading for short periods only;

“licence street” means a street designated under section 24 (designation of licence streets) of this Act;

“receptacle” includes a vehicle or stall and any basket, bag, box, vessel, stand, easel, board, tray or thing which is used (whether or not constructed or adapted for such use) as a container for or for the display of any article or thing or equipment used in the provision of any service;

“street” includes—

- (a) any road or footway;
- (b) any other area, not being within permanently enclosed premises, within 7 metres of any road or footway, to which the public have access without payment;
- (c) any part of such road, footway or area;
- (d) any part of any housing development provided or maintained by a local authority under Part II of the Housing Act 1985;

“street trading” means subject to subsection (2) below the selling or exposing or the offering for sale of any article (including a living thing) or the supplying or offering to supply any service in a street for gain or reward;

“street trading licence” means a licence granted under this Part of this Act and valid for the period specified therein being not less than six months and not more than three years;

“temporary licence” means a licence granted under this Part of this Act valid for a single day or for such period as may be specified in the licence not exceeding six months.

(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;
- (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 any enactment or order;

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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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- (c) trading in a trunk road picnic area provided by the Secretary of State under section 112 of the Highways Act 1980;
- (d) trading as a news-vendor provided that the only articles sold or exposed or offered for sale are newspapers or periodicals and they are sold or exposed or offered for sale without a receptacle for them or, if with a receptacle for them such receptacle does not—
  - (i) exceed 1 metre in length or width or 2 metres in height; or
  - (ii) occupy a ground area exceeding 0.25 square metre; or
  - (iii) stand on the carriageway of a street; or
  - (iv) cause undue interference or inconvenience to persons using the street;
- (e) selling articles or things to occupiers of premises adjoining any street, or offering or exposing them for sale from a vehicle which is used only for the regular delivery of milk or other perishable goods to those persons;
- (f) the use for trading under Part VIIA of the Highways Act 1980 of any object or structure placed on, in or over a highway;
- (g) the operation of facilities for recreation or refreshment under Part VIIA of the Highways Act 1980;
- (h) the doing of anything authorised by regulations made under section 5 of the Police, Factories, &c. (Miscellaneous Provisions) Act 1916;
- (i) trading in a highway in relation to which a control order under section 7 of the Local Government (Miscellaneous Provisions) Act 1976 is in force, other than trading to which the control order does not apply; and
- (j) the sale, exposure or offer for sale of articles or offer or provision of services on any land comprised in a street (not being part of a highway) within the meaning of subsection (1) above by the owner or occupier of the land or by a bona fide employee of the owner or occupier of the land.