

RYEDALE DISTRICT COUNCIL

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

Section 3 and Schedule 4 – Street Trading

NOTICE IS HEREBY GIVEN that Ryedale District Council being a district council for the purposes of Section 3 of the Local Government (Miscellaneous Provisions) Act 1982 ('the Act') have resolved in accordance with Paragraph 2 of Schedule 4 of the Act that the streets described in the schedule below shall be **PROHIBITED STREETS** that is streets where street trading is prohibited and that those streets shall be additional to the prohibited streets listed in the Schedules contained in the notices dated 17th May 1985 and 26th April 1990 which related to resolutions of the Council passed on 16th May 1985 and 8th March 1990. These provisions shall take effect on 21st February 1992.

SCHEDULE

All parts comprising the highway of the following streets and including verges, lay-bys, bus stops and road cut-offs situated within the township of Pickering as follows:

- I. Market Place
- II. Hallgarth
- III. Smiddy Hill
- IV. Birdgate
- V. Burgate
- VI. Park Street
- VII. Potter Hill

A person who engages in street trading in a prohibited street shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

The following are NOT street trading for the purpose of the 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 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 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;
- i) the doing of anything authorised by regulations made under Section 5 of the Police, Factories, etc (Miscellaneous Provisions) Act 1916.

DATED THIS 18th DAY OF JANUARY 1992

KW/ST/AC 964
10th January 1992

P J Andrews
Council Solicitor