

## 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 17<sup>th</sup> May 1985 which relates to a resolution of the Council passed on 16<sup>th</sup> May 1985. These provisions shall take effect on 28<sup>th</sup> May 1990.

#### SCHEDULE

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

- I. The A1237 (York Outer Ring Road) road from the boundary between the District of Ryedale and the District of Harrogate at Rawcliffe to its junction with the A1036 road at Hopgrove including that piece of superseded unclassified road on the north-eastern side of the roundabout being the old A64 road.
- II. The B1249 (Driffield to Staxton) road from the boundary between the District of Ryedale and the District of East Yorkshire near to Octon Grange, Foxholes to its junction with the A64 at Staxton.

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 26<sup>th</sup> DAY OF APRIL 1990

KW/TB/Advert  
19<sup>th</sup> April 1990

P J Andrews  
Council Solicitor