



# 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.

**PART V**

FIRE PRECAUTIONS

*Provisions as to consultations.*

- 8 Consultation between authorities.

*Firemen’s switches*

- 9 Application of section 10.
- 10 Firemen’s switches for luminous tube signs.

**PART VI**

ABOLITION OF REGISTRATION OF THEATRICAL EMPLOYERS

- 11 Repeal of Theatrical Employers Registration Acts 1925 and 1928.

**PART VII**

BYELAWS

- 12 General provisions relating to byelaws.

**PART VIII**

ACUPUNCTURE, TATTOOING, EAR-PIERCING AND ELECTROLYSIS

- 13 Application of Part VIII.
- 14 Acupuncture.
- 15 Tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis.
- 16 Provisions supplementary to ss. 14 and 15.
- 17 Power to enter premises (acupuncture etc.).

**PART IX**

- 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.

**PART XI**

PUBLIC HEALTH, ETC.

- 24, 25 .....
- 26 .....
- 27 Powers to repair drains etc. and to remedy stopped-up drains etc.

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- 28 .....  
 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

### MISCELLANEOUS

- 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...

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- 10 The appropriate authority may, at the written request of the...

*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...

### 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 sexual...

2A Meaning of “sexual entertainment venue”

25A (1) A person acting under the authority of a warrant...

27A Premises which are deemed sexual entertainment venues

#### *Meaning of “sex cinema”*

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

#### *Meaning of “sex shop” and “sex article”*

4 (1) In this Schedule “ sex shop ” means any...

#### *Miscellaneous definitions*

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

#### *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 (1) Subject to sub-paragraph (2) and paragraph 12(1) below, the...

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...

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### *Variation of licences*

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

### *Fees*

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

### *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 .....  
 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...

*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

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- PART X — REPEALS IN LOCAL ACTS IN CONSEQUENCE OF SECTION 27
- 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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**Changes and effects yet to be applied to :**

- s. 13(11)(a) words inserted by [2017 anaw 2 Sch. 3 para. 22\(2\)](#)
- s. 14(1) words inserted by [2017 anaw 2 Sch. 3 para. 22\(3\)\(a\)](#)
- s. 14(2) words inserted by [2017 anaw 2 Sch. 3 para. 22\(3\)\(b\)](#)
- s. 15(1) words inserted by [2017 anaw 2 Sch. 3 para. 22\(4\)\(a\)](#)
- s. 15(2) words inserted by [2017 anaw 2 Sch. 3 para. 22\(4\)\(b\)](#)
- Sch. 3 para. 1(b)(ii) words substituted by [2006 c. 48 Sch. 14 para. 7](#)
- Sch. 4 para. 1(2)(j) substituted by [2006 c. 50 Sch. 8 para. 66](#)