

FYLDE BOROUGH COUNCIL

BYELAW

Made by Fylde Borough Council
under Section 268 (4) of the
Public Health Act 1936 and
Section 56(2) of the Public Health
(Control of Disease) Act 1984

Temporary Structures

TEMPORARY STRUCTURES

BYELAWS as to tents, vans, sheds and similar structures used for human habitation made by the Fylde Borough Council under Section 268(4) of the Public Health Act, 1936 and Section 56(2) of the Public Health (Control of Disease) Act 1984

Interpretation

1. In these byelaws, unless the context otherwise requires -

"the council" means the Fylde Borough Council

"the district" means the Borough of Fylde

"infectious disease" includes any infectious disease which is communicable and notifiable;

"authorised officer" has the same meaning as the term authorised officer in Section 74 of the Public Health (Control of Disease) Act 1984

"the occupier" in relation to a tent, van, shed or similar structure, includes any person who for the time being is in charge thereof;

"offensive matter" includes liquids and solids;

"the owner", in relation to land on which any tent, van, shed or similar structure is erected or stationed, means the person who permits the land to be used for that purpose

Tents, etc., used intermittently (1)

2. The occupier of a tent, van, shed or similar structure used intermittently or at certain seasons only for human habitation shall, whenever it is so used -

- (i) cause all offensive matter to be removed therefrom as soon as possible;
- (ii) cause every vessel, utensil or other receptacle used for holding or removing any offensive matter to be cleansed immediately after it is emptied;
- (iii) not deposit or cause to be deposited any offensive matter within forty feet of the tent, van, shed, or other structure, or of any dwelling-house, except in a proper receptacle.
- (iv) not deposit or cause to be deposited any offensive matter or any litter or rubbish in any place so as to cause a nuisance.

Tents, etc., used intermittently on permanent sites

3. The occupier of a tent, van, shed or similar structure used intermittently or at certain seasons only for human habitation, but placed on a site on which are stationed tents, vans, sheds or similar structures used regularly for human habitation, shall comply with the requirements of byelaw 2 and shall in addition -

- (i) provide it with a suitable dry flooring;
- (ii) maintain in good repair and order and in a clean and wholesome condition any sanitary accommodation for which he is responsible;
- (iii) provide a sufficient covered receptacle or other place, with a close-fitting lid, for the deposit of refuse;
- (iv) deposit any litter or refuse in the receptacle or place provided for the purpose

Tents, etc., used regularly for human habitation

4. The occupier of a tent, van, shed or similar structure which is used regularly for human habitation shall comply with the requirements of byelaws 2 and 3 and shall in addition -

- (i) keep it reasonably weather-proof
- (ii) provide it with adequate means of ventilation
- (iii) cause its floor and internal surfaces to be cleansed as often as may be necessary, having regard to their nature;
- (iv) provide a sufficient supply of wholesome water for the use of its inhabitants, to be stored in an adequate and accessible storage receptacle which shall be kept in good repair, clean and properly covered.

Infectious diseases

5. The occupier of a tent, van, shed or similar structure used for human habitation who is aware that any inhabitant thereof is suffering from an infectious disease shall adopt all reasonable precautions ordered by the authorised officer for preventing the spread of the disease, and if he is the occupier of a tent or van -

- (a) shall, if the authorised officer orders the removal of the tent or van from any site, remove it to some other site within the district to which it may lawfully be removed; and
- (b) shall not, without the consent of the authorised Officer remove the tent or van from any site until it has been disinfected or disinfested, as may be necessary.

Duties of owners of land used for tents, etc.

6. The owner of any land who allows any tent, van, shed or similar structure used for human habitation to be erected or stationed on, or used on, that land shall -

- (a) clear ditches, hedgerows and bushes of any litter or refuse as often as may be necessary for the prevention of nuisance thereon; and
- (b) ensure that a space of not less than ten feet is kept between any two such tents, vans, sheds or other structures

Duties of owners of land used as permanent sites

7. The owner of any land who allows to be erected or stationed on, and used on, that land any such tent, van, shed or other structure as is mentioned in byelaw 3 or byelaw 4 shall comply with the following requirements:-

- (a) if for any reason a sufficient supply of wholesome water has not been provided for the use of its inhabitants, he shall provide such a supply in a suitable and readily accessible place;
- (b) if for any reason sanitary accommodation, means for the disposal of waste water or a receptacle or other place, with a close fitting lid, for the deposit of refuse have not been provided and nuisance is likely to arise in consequence, he shall provide, in a suitable and readily accessible place, sufficient sanitary accommodation, adequate means for the disposal of waste water or a sufficient covered receptacle or place, with a close fitting lid, for the deposit of refuse, as the case may be, and shall maintain the same in good repair and order and in a reasonably clean and wholesome condition:

Provided that this byelaw shall not apply where a site, including the ground within twenty feet of it on every side, is not occupied by a tent, van, shed, or similar structure for longer than seventy-two hours in the aggregate within any continuous period of seven days

Exemption of hop-pickers' lodgings

8. Any building constructed to be used exclusively for the accommodation of hop-pickers or other persons engaged temporarily in picking, gathering or lifting fruit, flowers, bulbs, roots or vegetables shall be exempt from the operation of these byelaws

Penalties

9. Every person who shall offend against any of the foregoing byelaws shall be liable on summary conviction to a fine not exceeding fifty pounds, and in the case of a continuing offence to a further fine not exceeding five pounds for each day during which the offence continues after conviction therefor

Revocation of Byelaws

10. The byelaws with respect to tents, vans, sheds and similar structures used for human habitation, which were made by the Mayor, Aldermen and Burgesses of the Borough of Lytham St. Annes on the 19th day of December 1938 and were confirmed by the Minister of Health on the 14th day of February 1939, are hereby revoked

THE COMMON SEAL OF THE)
FYLDE BOROUGH COUNCIL)
was hereunto affixed)
in the presence of:-)

SEAL
REG. NO. 1305

J.R. WILKINSON
Deputy Chief Executive Officer

Dated the 13th August 1987

DET 7255

The foregoing byelaws are hereby confirmed by the Secretary of State for the Environment and shall come into force on 1st May 1988

Signed by authority of
the Secretary of State

An Assistant Secretary in
the Department of the
Environment

15th April 1988