



Factories Act 1937

1937 CHAPTER 67 1 Edw 8 and 1 Geo 6

PART IV

HEALTH, SAFETY AND WELFARE (SPECIAL PROVISIONS AND REGULATIONS).

Special Provisions.

54 Basement bakehouses.

- (1) Without prejudice to the provisions of the last foregoing section, a basement bakehouse shall not be used as a bakehouse unless it was so used at the date of the passing of this Act and a certificate of suitability had been issued by the district council under an enactment repealed by this Act in respect thereof, and any basement bakehouse which, for a period exceeding twelve months, is not used as a bakehouse shall not be so used again.
- (2) It shall be the duty of every district council to carry out, in the year beginning at the date of the commencement of this Act and in every fifth succeeding year after that year, an examination of every basement bakehouse in respect of which a certificate of suitability has been issued and—
 - (a) if as the result of the examination the council are not satisfied that the bakehouse is suitable for use as such as regards construction, height, light, ventilation, and any hygienic respect, they shall give notice in writing that the certificate shall cease to have effect after the expiration of such period, being not less than one month, as may be specified in the notice, and the basement bakehouse shall not be used as a bakehouse after the expiration of that period; or
 - (b) if the council are satisfied that the bakehouse is suitable as regards the matters aforesaid, they shall give notice in writing that the certificate shall continue to operate so long as the bakehouse may otherwise lawfully be used, but without prejudice to the power of the council to revoke the certificate as the result of a subsequent examination under this subsection.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (3) Where the district council give notice that a certificate of a basement bakehouse is to cease to have effect, the occupier may, within twenty-one days of the notice, appeal by way of complaint to a court of summary jurisdiction, and the court may, if it is satisfied that the bakehouse is suitable as regards the matters aforesaid, by order direct that the certificate shall continue to operate as if a notice had been given under paragraph (b) of the last foregoing subsection or may by order extend the period at the expiration of which the certificate is to cease to have effect, and pending the final determination of the appeal the certificate shall continue to operate.
- (4) For the purpose of this section “basement bakehouse ” means a bakehouse any baking room of which is so situate that the surface of the floor is more than three feet below the surface of the footway of the adjoining street, or of the ground adjoining or nearest to the room; and “baking room” means any room used for baking, or for any process incidental thereto.
- (5) The prohibition of the use of basement bakehouses under this section shall be enforced by the district council, and the provisions of Part I of this Act as to the power to act in default of a district council shall apply in the case of any default of the district council under this section.