



Public Health Acts Amendment Act 1907

1907 CHAPTER 53 7 Edw 7

PART VII

POLICE

78^{F1}

Textual Amendments

F1 S. 78 repealed by [Road Traffic Act 1930 \(c. 43\)](#), [Sch. 5](#)

79^{F2}

Textual Amendments

F2 S. 79 repealed by [Public Health Act 1925 \(c. 71\)](#), [Sch. 5 Pt. II](#)

80 As to leading or driving animals.

The local authority may, by order, prescribe the streets in which, and the manner according to which, the leading or driving of animals shall be permitted within their district, provided that the route or routes which it shall be lawful for the local authority so to prescribe shall not be such as would prevent the passage of cattle between any market on the one hand, and any railway station or landing wharf in the district or any place beyond the district on the other hand, when such animals are merely passing between such market and railway station, landing wharf, or other place aforesaid, and the local authority shall be bound to allow at all times a reasonably short and efficient route or routes for the passage of such animals. Provided also that any such order shall only operate between the hours of nine in the morning and nine in the evening, and shall not prevent the owner of any animals driving the same to or from his own

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premises, and nothing in this enactment contained shall authorise the local authority to interfere with the leading or driving of any animals to any duly licensed slaughter-house.

Modifications etc. (not altering text)

C1 S. 80 excluded (Greater London) by [Local Government Act 1972 \(c. 70\)](#), [Sch. 14 Pt. II para. 26](#)

81 Extending definition of public place and street for certain purposes.

Any place of public resort or recreation ground belonging to, or under the control of, the local authority, and any unfenced ground adjoining or abutting upon any street in [^{F3}a district] shall for the purpose of the ^{M1}Vagrancy Act 1824 and of any Act for the time being in force altering or amending the same, be deemed to be an open and public place, and shall be deemed to be a street for the purposes of section twenty-nine of the ^{M2}Town Police Clauses Act 1847, and also for the purposes of so much of section twenty-eight of that Act as relates to the following offences:—

Every person who suffers to be at large any unmuzzled ferocious dog, or urges any dog or other animal to attack, worry, or put in fear any person or animal:

Every person who rides or drives furiously any horse or carriage, or drives furiously any cattle:

... ^{F4}

Every person who wilfully and indecently exposes his person:

Every person who publicly offers for sale or distribution, or exhibits to public view, any profane, [^{F5}indecent, or obscene] book, paper, print, drawing, painting, or representation, or sings any profane or obscene song or ballad, or uses any profane or obscene language:

Every person who wantonly discharges any firearm or discharges any missile or makes any bonfire:

Every person who throws or lays any dirt, litter, ashes, or night soil, or any carrion, fish, offal, or rubbish, on any street.

Textual Amendments

F3 Words substituted by virtue of [Local Government Act 1972 \(c. 70\)](#), [s. 179\(3\)](#)

F4 Words repealed by [Street Offences Act 1959 \(c. 57\)](#), [Sch.](#)

F5 Words repealed (E.W.) by [Indecent Displays \(Control\) Act 1981 \(c. 42, SIF 39:5\)](#), s. 1, [Sch.](#)

Modifications etc. (not altering text)

C2 S. 81 excluded (Greater London) by [Local Government Act 1972 \(c. 70\)](#), [Sch. 14 Pt. II para. 26](#)

Marginal Citations

M1 1824 c. 83.

M2 1847 c. 89.

82 Byelaws as to sea-shore.

The local authority for the prevention of danger, obstruction, or annoyance to persons using the sea-shore may make and enforce byelaws to—

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- (1) Regulate the erection or placing on the sea-shore, or on such part or parts thereof as may be prescribed by such byelaws, of any booths, tents, sheds, stands, and stalls (whether fixed or movable), or vehicles for the sale or exposure of any article or thing, or any shows, exhibitions, performances, swings, roundabouts, or other erections, vans, photographic carts, or other vehicles, whether drawn or propelled by animals, persons or any mechanical power, and the playing of any games on the seashore, and generally regulate the user of the seashore for such purposes as shall be prescribed by such byelaws;
- (2) Regulate the user of the seashore for riding and driving;
- (3) Regulate the selling and hawking of any article, commodity, or thing on the seashore;
- (4) Provide for the preservation of order and good conduct among persons using the seashore. [^{F6}Provided that [^{F7}, in the case of byelaws made by a local authority in England,] no byelaws affecting the foreshore below high-water mark shall come into operation until the consent of the Board of Trade has been obtained.]

Textual Amendments

- F6** Words in s. 82(4) repealed (E.) (27.1.2010) by Local Government and Public Involvement in Health Act 2007 (c. 28), ss. 135, 245(5), Sch. 6 para. 1, **Sch. 18 Pt. 7**; S.I. 2010/112, **art. 2(g)**
- F7** Words in s. 82 inserted (31.3.2015) by Local Government Byelaws (Wales) Act 2012 (anaw 2), s. 22(2), **Sch. 2 para. 4(3)**; S.I. 2015/1025, art. 2(r) (with art. 3)

Modifications etc. (not altering text)

- C3** S. 82 repealed, in relation to matters with respect to which byelaws can be made under **Part VIII of the Public Health Act 1936 (c. 49)**, by *ibid.*, s. 346, Sch. 3 Pt. III
- C4** Power to extend or exclude s. 82 conferred by **Local Government Act 1972 (c. 70)**, **Sch. 14 Pt. II para. 25**
- C5** Functions of Board of Trade now exercisable concurrently by Secretary of State: **S.I. 1970/1537**, **art. 2(1)**
- C6** S. 82 applied (N.I.) (4.2.2011) by **Public Health Acts Amendment Act 1907 (Application of sections 82 and 83 to Down District Council) Order (Northern Ireland) 2011 (S.R. 2011/6)**, arts. 1, **2**
- C7** S. 82 applied (N.I.) (4.2.2011) by **Public Health Acts Amendment Act 1907 (Application of sections 82 and 83 to Carrickfergus Borough Council) Order (Northern Ireland) 2011 (S.R. 2011/7)**, arts. 1, **2**
- C8** S. 82 applied (N.I.) (4.2.2011) by **Public Health Acts Amendment Act 1907 (Application of sections 82 and 83 to Coleraine Borough Council) Order (Northern Ireland) 2011 (S.R. 2011/5)**, arts. 1, **2**
- C9** S. 82 applied (N.I.) (4.2.2011) by **Public Health Acts Amendment Act 1907 (Application of sections 82 and 83 to North Down Borough Council) Order (Northern Ireland) 2011 (S.R. 2011/4)**, arts. 1, **2**

83 Byelaws as to promenades.

The local authority may, for the prevention of danger, obstruction, or annoyance to persons using the esplanades or promenades within the district, make byelaws prescribing the nature of the traffic for which they may be used, regulating the selling and hawking of any article, commodity, or thing thereon, and for the preservation of order and good conduct among the persons using the same.

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Modifications etc. (not altering text)

- C10** Power to extend or exclude s. 83 conferred by [Local Government Act 1972 \(c. 70\)](#), **Sch. 14 Pt. II para. 25**
- C11** S. 83 applied (N.I.) (4.2.2011) by [Public Health Acts Amendment Act 1907 \(Application of sections 82 and 83 to Coleraine Borough Council\) Order \(Northern Ireland\) 2011 \(S.R. 2011/5\)](#), arts. 1, 2
- C12** S. 83 applied (N.I.) (4.2.2011) by [Public Health Acts Amendment Act 1907 \(Application of sections 82 and 83 to Down District Council\) Order \(Northern Ireland\) 2011 \(S.R. 2011/6\)](#), arts. 1, 2
- C13** S. 83 applied (N.I.) (4.2.2011) by [Public Health Acts Amendment Act 1907 \(Application of sections 82 and 83 to North Down Borough Council\) Order \(Northern Ireland\) 2011 \(S.R. 2011/4\)](#), arts. 1, 2
- C14** S. 83 applied (N.I.) (4.2.2011) by [Public Health Acts Amendment Act 1907 \(Application of sections 82 and 83 to Carrickfergus Borough Council\) Order \(Northern Ireland\) 2011 \(S.R. 2011/7\)](#), arts. 1, 2

84 **F8**

Textual Amendments

F8 S. 84 repealed by [Local Government Act 1966 \(c. 42\)](#), **Sch. 6 Pt. I**

85 **F9**

Textual Amendments

F9 S. 85 repealed by [Employment Agencies Act 1973 \(c. 35\)](#), **Sch. Pt. I**

86 **F10**

Textual Amendments

F10 S. 86 repealed by [Scrap Metal Dealers Act 1964 \(c. 69\)](#), **Sch. Pt. I**

Changes to legislation:

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