



Public Health (Drainage of Trade Premises) Act 1937

1937 CHAPTER 40

5 Byelaws of local authorities

- (1) A local authority may, and, if required by the Minister, shall, make byelaws (hereafter in this Act referred to as "trade effluents byelaws") with respect to the discharge of any trade effluent, or trade effluent of any particular nature or composition, from trade premises into any public sewer of the local authority, and such byelaws may provide for all or any of the following matters, that is to say :—
- (a) for determining the period or periods of the day during which the trade effluent may be discharged from any trade premises into the sewer;
 - (b) for requiring the exclusion from the trade effluent of all condensing water;
 - (c) for requiring that, before the trade effluent enters the sewer, there shall be eliminated from the effluent any such constituent thereof as may be specified in the byelaws, being a constituent as to which the authority making the byelaws is satisfied that it would, either alone or in combination with any matter with which it is likely to come into contact while passing through any sewers,—
 - (i) injure or obstruct those sewers, or make specially difficult or expensive the treatment or disposal of the sewage from those sewers, or
 - (ii) (where the trade effluent is to be, or is, discharged into a sewer having an outfall into any harbour or tidal water or into a sewer which connects directly or indirectly with a sewer or sewage disposal works having such an outfall) cause or tend to cause injury or obstruction to the navigation on, or the use of, the said harbour or tidal water;
 - (d) for determining the maximum quantity of the trade effluent which may, without the consent of the local authority, be discharged from any trade premises into the sewer on any one day, and the highest rate at which the trade effluent may, without such consent, be discharged from any trade premises into the sewer;

Status: This is the original version (as it was originally enacted).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

- (e) for regulating the temperature of the trade effluent at the time when it is discharged into the sewer, and for securing so far as reasonably practicable that the trade effluent, when so discharged, shall be neutral, that is to say, neither acid nor alkaline;
- (f) for requiring the several occupiers of trade premises from which the trade effluent is discharged into the sewer to pay to the local authority such charge for the reception of the trade effluent into the sewer, and for the disposal thereof, as may be specified in the byelaws, regard being had to the composition and volume of the trade effluent so discharged, and to any additional expense incurred or likely to be incurred by a sewerage authority in connection with the reception or disposal of the trade effluent;
- (g) for the provision and maintenance of such an inspection chamber or manhole as will enable a person readily to take at any time samples of what is passing into the sewer from the premises;
- (h) for the provision and maintenance of such meters as may be required to measure the volume of any trade effluent being discharged from the premises into the sewer, and for the testing of such meters.

Trade effluents byelaws providing for any of the matters mentioned in paragraphs (a) and (d) of this subsection may make different provision in relation to different descriptions of trade premises and in relation to different parts of the district of the local authority.

- (2) Nothing in any trade effluents byelaws, in so far as they provide for matters other than those specified in paragraphs (e), (g) and (h) of the preceding subsection, shall apply in relation to any discharge of trade effluents to which, by virtue of the last preceding section, the consent of the local authority is not necessary, and nothing in any trade effluents byelaws shall enable a local authority to make any charge for the reception into a sewer of any quantity of any trade effluent discharged from any particular trade premises, being a quantity which, by virtue of the last preceding section, could lawfully be discharged from those premises into the sewer without the consent of the local authority.
- (3) No trade effluents byelaws shall be of any effect until confirmed by the Minister, and the provisions set out in the Schedule to this Act shall have effect in relation to the making and publication of such byelaws.
- (4) If any trade effluents byelaw is contravened or not complied with in the case of any premises, the occupier of the premises shall be guilty of an offence.
- (5) Where a local authority consider that the operation of any trade effluents byelaw made, or having effect as if made, by that authority would be unreasonable in relation to any particular case, they may, with the consent of the Minister, relax the requirements of the byelaw or dispense with compliance therewith :

Provided that the local authority shall give notice of any such proposed relaxation or dispensation to any interested bodies, to any persons whose names for the time being appear in the register to be kept by the local authority under paragraph 2 of the Schedule to this Act, and to such other persons, if any, as the Minister may direct, and the Minister shall not give his consent before the expiration of one month from the giving of the notice, and, before giving his consent, shall take into consideration any objection which may have been received by him.

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

- (6) Any trade effluents byelaws shall cease to have effect on the expiration of ten years from the date on which they are made :

Provided that the Minister may by order extend the period during which any such byelaws are to remain in force.