



# Public Health Act 1961

## 1961 CHAPTER 64

### PART IV

#### STREETS AND PUBLIC PLACES

##### *Parks and open spaces*

#### **53 Closing of parks and pleasure grounds**

- (1) Subsection (1) of section forty-four of the Public Health Acts Amendment Act, 1890 (which empowers a local authority to close their parks and pleasure-grounds or to allow their use for a show or other special purposes), shall be amended as follows.
- (2) That subsection shall be in force throughout the district of every local authority, and sections three and five of the said Act (which relate to the adoption or bringing into force of provisions in that Act) shall not apply to that subsection.
- (3) So much of the said subsection as restricts the power of closing parks or pleasure-grounds shall have effect as if for the reference to four consecutive days there were substituted a reference to six consecutive days (excluding Sunday) and in computing any such period of six consecutive days a Saturday and the following Monday shall be regarded as consecutive days.
- (4) The proviso to the said subsection (which prohibits the closing of a park or pleasure ground on a Sunday or public holiday) shall cease to apply to a public holiday, but on any bank holiday, or on Christmas Day or Good Friday, or on a day appointed for public thanksgiving or mourning, a local authority shall not have power under the subsection to close any park or pleasure-ground, or any part thereof, if the area so closed, together with any other area so closed, exceeds one-quarter of the total area of all the parks or pleasure-grounds provided by the local authority.
- (5) The reference in paragraph (d) of subsection (1) of section eight of the Local Government Act, 1894 (under which parish councils may provide pleasure-grounds), to section forty-four of the said Act of 1890 shall be taken as a reference to that section as amended by this section.