



Public Health Acts Amendment Act 1890

1890 CHAPTER 59 53 and 54 Vict

PART III—

SANITARY AND OTHER PROVISIONS

16— F1
27.

Textual Amendments

F1 Ss. 16–27 repealed by [Public Health Act 1936 \(c. 49\)](#), s. 346, [Sch. 3 Pt. II](#)

28— F2
31.

Textual Amendments

F2 Ss. 28–31 repealed by [Food and Drugs Act 1938 \(c. 56\)](#), [Sch. 4 Pt. I](#)

32, 33. F3

Textual Amendments

F3 Ss. 32, 33 repealed by [Public Health Act 1936 \(c. 49\)](#), s. 346, [Sch. 3 Pt. II](#)

34, 35. F4

Changes to legislation: There are currently no known outstanding effects for the Public Health Acts Amendment Act 1890, Part III—. (See end of Document for details)

Textual Amendments

F4 Ss. 34, 35 repealed by [Highways Act 1959 \(c. 25\)](#), **Sch. 25**

36 **F5**

Textual Amendments

F5 S. 36 repealed by [Public Health Act 1936 \(c. 49\)](#), s. 346, **Sch. 3 Pt. II**

37 Safety of platforms, &c. erected or used on public occasions.

- (1) Whenever large numbers of persons are likely to assemble on the occasion of any show, entertainment, public procession, open-air meeting, or other like occasion, every roof of a building, and every platform, balcony, or other structure or part thereof let or used or intended to be let or used for the purpose of affording sitting or standing accommodation for a number of persons, shall be safely constructed or secured to the satisfaction of the [^{F6}proper officer of the authority].
- (2) Any person who uses or allows to be used in contravention of this section, any roof of a building, platform, balcony, or structure not so safely constructed or secured, or who neglects to comply with the provisions of this section in respect thereof, shall be liable to a penalty not exceeding [^{F7}fifty pounds][^{F7}level 3 on the standard scale].

Textual Amendments

F6 Words substituted by virtue of [Local Government Act 1972 \(c. 70\)](#), **Sch. 29 Pt. I para. 4(1)(a)**

F7 “level 3 on the standard scale” substituted (E.W.) for “fifty pounds” by virtue of [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **ss. 38, 46**

Modifications etc. (not altering text)

C1 S. 37(1) excluded by [Fire Safety and Safety of Places of Sports Act 1987 \(c. 27, SIF 45A\)](#), **ss. 26(1), 33**

C2 S. 37(1) excluded by [Safety of Sports Grounds Act 1975 \(c. 52\)](#), **s. 9(1)**

C3 S. 37(1) excluded (N.I.) (31.12.2009) by [The Safety of Sports Grounds \(Northern Ireland\) Order 2006 \(S.I. 2006/313\)](#), arts. 1(2), **art. 21(1)-(3)** (with art. 26); S.R. 2009/287, art. 2(m)

38 **F8**

Textual Amendments

F8 S. 38 repealed by [Public Health Act 1961 \(c. 64\)](#), s. 75(7), **Sch. 5 Pt. II**

39 **F9**

Changes to legislation: There are currently no known outstanding effects for the Public Health Acts Amendment Act 1890, Part III—. (See end of Document for details)

Textual Amendments

F9 Ss. 39, 41, 43 repealed by [Highways Act 1959 \(c. 25\)](#), [Sch. 25](#)

40 Cabmen’s shelters.

- (1) An urban authority may from time to time provide, maintain, and remove in or near any street in their district suitable erections for the use, convenience, and shelter of drivers of hackney carriages, and such other persons as the urban authority may permit to use the same.
- (2) The urban authority may from time to time make regulations for prescribing the terms and conditions and the fees (if any) to be charged for the use of such places of shelter, and may make byelaws for regulating the conduct of persons using the same.

Modifications etc. (not altering text)

- C4** S. 40 amended by [Trunk Roads Act 1936 \(1 Edw. 8 & 1 Geo. 6 c. 5\)](#), s. 3(2), [Sch. 3 Pt. III](#); restricted by [Local Government Act 1972 \(c. 70\)](#), [Sch. 14 Pt. II para. 28](#); modified by [S.I. 1973/686](#), art. 3(1), [Sch. 3](#)
- C5** Function of confirming byelaws or regulations made under section 40(2) now exercisable by Secretary of State: [S.R. & O. 1946/1757 \(Rev. XV, p. 112; 1946 I, p. 1012\)](#), art. 3(1), Sch.

41 **F10**

Textual Amendments

F10 Ss. 39, 41, 43 repealed by [Highways Act 1959 \(c. 25\)](#), [Sch. 25](#)

42 Statues and monuments.

Any urban authority may from time to time authorise the erection in any street or public place within their district of any statue or monument, and may maintain the same, and any statue or monument erected within their district before the adoption of this part of this Act, and may remove any statue or monument the erection of which has been authorised by them.

Modifications etc. (not altering text)

- C6** S. 42 amended by [Trunk Roads Act 1936 \(1 Edw. 8 & 1 Geo. 6 c. 5\)](#), s. 3(2), [Sch. 3 Pt. III](#); restricted by [Local Government Act 1972 \(c. 70\)](#) Sch. 14 Pt. II para. 28; modified by [S.I. 1973/686](#), art. 3(1), [Sch. 3](#)

43 **F11**

Changes to legislation: There are currently no known outstanding effects for the Public Health Acts Amendment Act 1890, Part III—. (See end of Document for details)

Textual Amendments

F11 Ss. 39, 41, 43 repealed by [Highways Act 1959 \(c. 25\)](#), [Sch. 25](#)

44 Parks and pleasure grounds.

- (1) [^{F12}A local authority] may on such days as they think fit (not exceeding twelve days in any one year, nor four consecutive days on any one occasion) close to the public any park or pleasure ground provided by them or any part thereof, and may grant the use of the same, either gratuitously or for payment, to any public charity or institution, or for any agricultural, horticultural, or other show, or any other public purpose, or may use the same for any such show or purpose; and the admission to the said park or pleasure ground, or such part thereof, on the days when the same shall be so closed to the public may be either with or without payment, as directed by the [^{F12}local authority], or, with the consent of the [^{F12}local authority] by the society or persons to whom the use of the park or pleasure ground, or such part thereof, may be granted: Provided that no such park or pleasure ground shall be closed on any Sunday . . . ^{F13}
- (2) An urban authority may either themselves provide and let for hire, or may license any person to let for hire, any pleasure boats on any lake or piece of water in any such park or pleasure ground, and may make byelaws for regulating the numbering and naming of such boats, the number of persons to be carried therein, the boathouses and mooring places for the same, and for fixing rates of hire and the qualifications of boatmen, and for securing their good and orderly conduct while in charge of any boat.

Textual Amendments

F12 Words substituted by virtue of [Local Government Act 1970 \(c. 70\)](#), [Sch. 14 Pt. II para. 27](#)

F13 Words repealed by [Public Health Act 1961 \(c. 64\)](#), [Sch. 5 Pt. II](#)

Modifications etc. (not altering text)

C7 S. 44 excluded by [Countryside Act 1968 \(c. 41\)](#), [s. 7\(7\)](#); extended by [Local Government Act 1972 \(c. 70\)](#), [Sch. 14 Pt. II para. 27](#)

C8 S. 44(1) amended by [Public Health Act 1961 \(c. 64\)](#), [s. 53](#)

C9 S. 44(2) extended by *ibid.*, [s. 54\(6\)](#)

C10 Function of confirming byelaws or regulations made under section 44(2) now exercisable by Secretary of State: S.R. & O. 1946/1757 (Rev. XV, p. 112; 1946 I, p. 1012), art. 3(1), Sch.

45 Extension of 38 & 39 Vict. c. 55, s. 164.

The powers of an urban authority under section one hundred and sixty-four of the ^{M1}Public Health Act 1875 to contribute to the support of public walks or pleasure grounds, shall include a power to contribute towards the cost of the laying out, planting, or improvement of any lands provided by any person which have been permanently set apart as public walks or pleasure grounds, and which, whether in the district of the urban authority or not, are so situated as to be conveniently used by the inhabitants of the district, and shall also include a power to contribute towards the purchase by any person of lands so situate and to be so set apart as aforesaid.

Changes to legislation: There are currently no known outstanding effects for the Public Health Acts Amendment Act 1890, Part III—. (See end of Document for details)

Marginal Citations

M1 1875 c. 55.

46 Extension of 38 & 39 Vict c. 55, s. 165.

Section one hundred and sixty-five of the ^{M2}Public Health Act 1875 shall be extended so as to enable any urban authority to pay the reasonable cost of the repairing, maintaining, winding up, and lighting any public clock within their district although the same be not vested in them.

Marginal Citations

M2 1875 c. 55.

47 **F14**

Textual Amendments

F14 S. 47 repealed by [Public Health Act 1936 \(c. 49\)](#), s. 346, **Sch. 3 Pt. II**

48, 49. **F15**

Textual Amendments

F15 Ss. 48, 49 repealed by [Local Government Act 1933 \(c. 51\)](#), **Sch. 11 Pt. IV**

50 **F16**

Textual Amendments

F16 S. 50 repealed by [Food and Drugs Act 1938 \(c. 56\)](#), **Sch. 4 Pt. I**

Changes to legislation:

There are currently no known outstanding effects for the Public Health Acts Amendment Act 1890, Part III—.