



Public Health Act 1936

1936 CHAPTER 49

PART XI

MISCELLANEOUS.

Tents, vans, sheds, &c.

268 Nuisances arising from, and byelaws and other matters relating to, tents, vans, and &c.

- (1) The provisions of Parts III, V, VII and XII of this Act, and the provisions of Part II relating to filthy or verminous premises or articles and verminous persons, shall apply in relation to tents, vans, sheds and similar structures used for human habitation as they apply in relation to other premises and as if a tent, van, shed or similar structure used for human habitation were a house or a building so used.
- (2) For the purposes of the said Part III, a tent, van, shed or similar structure used for human habitation—
 - (a) which is in such a state, or so overcrowded, as to be prejudicial to the health of the inmates; or
 - (b) the use of which, by reason of the absence of proper sanitary accommodation or otherwise, gives rise, whether on the site or on other land, to a nuisance or to conditions prejudicial to health,shall be a statutory nuisance, and the expression " occupier " in relation to a tent, van, shed or similar structure shall include any person for the time being in charge thereof.
- (3) Where such a nuisance as is mentioned in paragraph (b) of the preceding subsection is alleged to arise, wholly or in part, from the use for human habitation of any tent, van, shed or similar structure, then, without prejudice to the liability of the occupants or other users thereof, an abatement notice may be served on, and proceedings under Part III of this Act may be taken against, the occupier of the land on which the tent, van, shed or other structure is erected or stationed :

Status: This is the original version (as it was originally enacted).

Provided that it shall be a defence for him to prove that he did not authorise the tent, van, shed or other structure to be stationed or erected on the land.

- (4) A local authority may make byelaws for promoting cleanliness in, and the habitable condition of, tents, vans, sheds and similar structures used for human habitation, for preventing the spread of infectious disease by the occupants or other users thereof and generally for the prevention of nuisances in connection therewith.
- (5) The powers of a court before which proceedings are brought—
- (a) in respect of a statutory nuisance caused by, or arising in connection with, a tent, van, shed or similar structure used for human habitation; or
 - (b) in respect of any contravention of byelaws made under this section,
- shall include power to make an order prohibiting the use for human habitation of the tent, van, shed or other structure in question at such places, or within such area, as may be specified in the order.