



# Public Health Act 1936

## 1936 CHAPTER 49

### PART II

#### SANITATION AND BUILDINGS.

##### *Public sanitary conveniences.*

#### **88 Control over conveniences in, or accessible from, streets.**

- (1) No person shall erect any public sanitary convenience in, or so as to be accessible from, any street without the consent of the local authority, who may give their consent upon such terms as to the use of the convenience or its removal at any time, if required by them, as they think fit, and, if any person contravenes the provisions of this subsection, he shall be liable to a fine not exceeding five pounds, without prejudice to the right of the authority under subsection (3) of this section to require the convenience to be removed :

Provided that this subsection shall not apply to any sanitary convenience erected by a railway company within their railway station, or the yard thereof, or the approaches thereto, or erected by dock undertakers in or on land which belongs to them and is held or used by them for the purposes of their undertaking.

- (2) Any person aggrieved by the refusal of a local authority to give a consent under the preceding subsection, or by any terms imposed by them, may appeal to a court of summary jurisdiction.
- (3) The local authority may by notice require—
- (a) the owner of a sanitary convenience which has been erected in contravention of subsection (1) of this section, or the removal of which they are by virtue of the terms of a consent given under that subsection entitled to require, to remove it;
  - (b) the owner of a sanitary convenience which opens on a street and is so placed or constructed as to be a nuisance or offensive to public decency, to remove or permanently to close it.

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*Status: This is the original version (as it was originally enacted).*

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- (4) The provisions of Part XII of this Act with respect to appeals against, and the enforcement of, notices requiring the execution of works shall apply in relation to any notice given under this section.
- (5) Nothing in this section affects the powers of a county council under the last preceding section.