



# Public Health Act 1936

## 1936 CHAPTER 49

### PART VIII

#### BATHS, WASHHOUSES, BATHING PLACES, &C.

##### *Provision of baths, &c.*

#### **221 Power of local authority to provide baths, bathing places and washhouses.**

A local authority may provide—

- (a) public baths and washhouses, either open or covered, and with or without drying grounds;
- (b) public swimming baths and bathing places, either open or covered, or any of those conveniences.

#### **222 Charges for use of baths, and &c.**

- (1) Subject to the provisions of this section, a local authority may make such charges for the use of, or for admission to, any baths, washhouse, swimming bath or bathing place under their management as they think fit.
- (2) One month at least before fixing any charges to be made under this section, the local authority shall publish by advertisement in a local newspaper circulating in their district a notice stating their intention to consider a proposed table of charges and naming a place where a copy of the proposed table may be inspected at all reasonable hours by any person free of charge.

#### **223 Byelaws for regulation of baths, and &c.**

- (1) A local authority may make byelaws for the regulation of any baths, washhouses, swimming baths and bathing places under their management, and for the regulation of persons resorting thereto, including the exclusion therefrom of undesirable persons.

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*Status: This is the original version (as it was originally enacted).*

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Any such byelaws may, in addition to providing for the imposition of penalties, empower any officer of the local authority to exclude or remove from any baths, washhouse, swimming bath or bathing place under the management of the authority any person contravening any of the byelaws applicable to the premises in question.

- (2) A printed copy, or abstract, of the byelaws relating to any baths, washhouse, swimming bath or bathing place shall be exhibited in a conspicuous place therein.

**224 Baths, and &c, to be public places for certain purposes.**

Any baths, washhouse, swimming bath or bathing place under the management of a local authority shall be deemed to be a public and open place for the purposes of any enactment relating to offences against decency.

**225 Use of baths and bathing places for swimming contests, and &c, or by schools or clubs.**

- (1) A local authority may close temporarily to the public any swimming bath or bathing place under their management and may—
- (a) grant, either gratuitously or for payment, the exclusive use thereof to a school or club, or to persons organising swimming practices or contests, aquatic sports or similar entertainments; or,
  - (b) themselves use it for such practices, contests, sports or entertainments.
- (2) The authority may make, or authorise the making of, charges for admission to, or for the use of, any swimming bath or bathing place while it is closed to the public under this section.

**226 Closing of baths and bathing places during winter months, and use for other purposes.**

- (1) A local authority may, during any period between the first day of October and the last day of the following April, close any swimming bath or bathing place under their management, and may, at any time when it is closed, use it, or allow it to be used, or let it, for such purposes, and upon such conditions, as they think fit, and may adapt it for the purpose of being so used or let:

Provided that the following restrictions shall have effect with respect to any entertainment provided by the local authority themselves under this section, that is to say—

- (a) no stage play shall be performed;
  - (b) the entertainment shall not include any performance in the nature of a variety entertainment;
  - (c) no cinematograph film, other than a film relating to the functions of county councils or local authorities, shall be shown ;
  - (d) no scenery, theatrical costumes or scenic or theatrical accessories shall be used.
- (2) The power of the local authority to make byelaws under the foregoing provisions of this Part of this Act shall extend to the making of byelaws with respect to a swimming bath or bathing place when used for any purpose authorised by this section.

- (3) Nothing in this section shall authorise the use of a swimming bath or bathing place for the public performance of stage plays, for public music, public music and dancing, or other public entertainment of the like kind, or for cinematograph exhibitions, unless such licence as may be required for the use of a place for the purpose in question has been obtained, or such notices as may be required by subsection (2) of section seven of the Cinematograph Act, 1909, have been duly given, and any terms, conditions or restrictions attached to the grant of such licence, or any regulations or conditions made or imposed under the said subsection (2), shall apply, notwithstanding anything in any byelaw made by virtue of this section.
- (4) The local authority shall be responsible for any breach of any such conditions as aforesaid which may occur during any entertainment given on the premises by their permission.

**227 Power of local authority to lay pipes for purposes connected with baths, and &c.**

Subject to the provisions of Part XII of this Act with respect to the breaking open of streets, a local authority may provide, lay down and maintain such pipes and apparatus as may be necessary for conducting water to or from any baths, washhouse, swimming bath or bathing place which is under their management, or which they propose to provide.

**228 Power of trustees to sell existing baths, and &c, to local authority.**

The trustees of any public baths, washhouse, swimming bath or bathing place may, with the consent of the committee of management, if any, sell or lease the baths, washhouse, swimming bath or bathing place to a local authority.

**229 Power of statutory undertakers to supply water, gas or electricity to baths, and &c, on favourable terms.**

Any statutory undertakers supplying water, gas or electricity may supply water, gas or electricity to any public baths, washhouse, swimming bath or bathing place, either without charge or on such other favourable terms as they think fit.

**230 Power of parish council to provide baths, bathing places and washhouses.**

- (1) A parish council may provide baths, wash-houses, swimming baths and bathing places, or any of them, either within or without their parish, and for that purpose shall have the like powers as the local authority of the district have under the foregoing provisions of this Part of this Act, and accordingly in those provisions any reference to a local authority or their district shall be construed as including a reference to a parish council or their parish.
- (2) For the purposes of section one hundred and ninety-three of the Local Government Act, 1933 (which relates to the expenses of parish councils and parish meetings), the expression " the Adoptive Acts " shall be deemed to include the foregoing provisions of this Part of this Act.

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*Public bathing.*

**231 Byelaws with respect to public bathing.**

- (1) A local authority may make byelaws with respect to public bathing, and may by such byelaws—
- (a) regulate the areas in which, and the hours during which, public bathing shall be permitted;
  - (b) fix the places at which bathing-machines may be stationed, or bathing huts or tents may be erected;
  - (c) regulate the manner in which bathing-machines, huts or tents may be used, and the charges which may be made for the use thereof;
  - (d) regulate, so far as decency requires, the costumes to be worn by bathers;
  - (e) require persons providing accommodation for bathing to provide and maintain life-saving appliances, or other means of protecting bathers from danger; and
  - (f) regulate, for preventing danger to bathers, the navigation of vessels used for pleasure purposes within any area allotted for public bathing during the hours allowed for bathing.
- (2) If and so far as a byelaw made under the preceding subsection is inconsistent with a byelaw made by dock undertakers, the latter shall prevail.

**232 Provision of bathing huts, and &c.**

A local authority may provide huts or other conveniences for bathing on any land belonging to them or under their control, and may make charges for the use thereof.

**233 Byelaws with respect to swimming baths and bathing pools not under the management of a local authority.**

- (1) A local authority may make byelaws with respect to swimming baths and bathing pools, whether open or covered, which are not under their management for—
- (a) securing the purity of the water therein;
  - (b) ensuring the adequacy and cleanliness of the accommodation thereat;
  - (c) regulating the conduct of persons resorting thereto; and
  - (d) the prevention of accidents :

Provided that this section shall not apply to any swimming bath or bathing pool which is not open to the public and for, or in connection with, the use of which no charge is made.

- (2) Byelaws made under this section may require the person responsible for any swimming bath or bathing pool to which the byelaws apply to keep a printed copy of the byelaws exhibited in a conspicuous place on the premises.

*Life-saving appliances.*

**234 Provision of life-saving appliances.**

A local authority may provide life-saving appliances at such places, whether places used for bathing or not, as they think fit.