

WINCHESTER CITY COUNCIL



BYELAWS
as to
TENTS, VANS and SHEDS
and similar structures
made by
Winchester City Council

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BYELAWS as to tents, vans, sheds and similar structures used for human habitation made by Winchester City Council under Section 268(4) of the Public Health Act 1936 and Section 56(2) of the Public Health (Control of Disease) Act 1984.

Interpretation

1. In these byelaws, unless the context otherwise requires:-

"the council" means the Winchester City Council;

"the district" means the City of Winchester;

"infectious disease" includes any infectious disease which is communicable and notifiable;

"the occupier", in relation to a tent, van, shed or similar structure includes any person who for the time being is in charge thereof;

"offensive matter" includes liquids and solids;

"the owner", in relation to land on which any tent, van, shed or similar structure is erected or stationed, means the person who permits the land to be used for that purpose

"caravan" has the same meaning as in Part I of the Caravan Sites and Control of Development Act 1960

"Authorised Officer" has the same meaning as the term authorised Officer in Section 74 of the Public Health, Control of Diseases Act 1984.

Tents, etc., used intermittently

2. The occupier of a tent, van shed or similar structure used intermittently, or at certain seasons only, for human habitation shall, whenever it is so used:-

(i) cause all offensive matter to be removed therefrom as soon as possible;

(ii) cause every vessel, utensil or other receptacle used for holding or removing any offensive matter to be cleansed immediately after it is emptied;

(iii) not deposit or cause to be deposited any offensive matter within forty feet of the tent, van shed, or other structure, or of any dwelling-house, except in a proper receptacle; and

(iv) not deposit or cause to be deposited any offensive matter or any litter or rubbish in any place so as to cause a nuisance.

Tents, etc., used intermittently on permanent sites

3. The occupier of a tent, van, shed or similar structure used intermittently, or at certain seasons only, for human habitation, but placed on a site on which are stationed tents, vans, sheds or similar structures used regularly for human habitation, shall comply with the requirements of byelaw 2 and shall in addition:-

- (i) provide it with suitable dry flooring;
- (ii) maintain in good repair and order and in a clean and wholesome condition any sanitary accommodation for which he is responsible;
- (iii) provide a sufficient covered receptacle or other place, with a close-fitting lid, for the deposit of refuse; and
- (iv) deposit any litter or refuse in the receptacle or place provided for the purpose.

Tents, etc., used regularly for human habitation

4. The occupier of a tent, van, shed or similar structure which is used regularly for human habitation shall comply with the requirements of byelaws 2 and 3 and shall, in addition:-

- (i) keep it reasonably weather-proof;
- (ii) provide it with adequate means of ventilation;
- (iii) cause its floor and internal surfaces to be cleansed as often as may be necessary, having regard to their nature; and
- (iv) provide sufficient supply of wholesome water for the use of its inhabitants, to be stored in an adequate and accessible storage receptacle which shall be kept in good repair, clean and properly covered.

Infectious diseases

5. The occupier of a tent, van shed or similar structure used for human habitation who is aware that any inhabitant thereof is suffering from an infectious disease shall adopt all reasonable precautions directed by the authorised officer for preventing the spread of the disease, and if he is the occupier of a tent or van:-

- (a) shall, if the authorised officer directs the removal of the tent or van from the site, remove it to some other site within the district to which it may lawfully be removed; and
- (b) shall not, without the consent of the authorised officer remove the tent or van from any site until it has been disinfected or disinfested, as may be necessary.

Duties of owners of land used for tents, etc

6. The owner of any land who allows any tent, van, shed or similar structure used for human habitation to be erected or stationed on, or used on, that land shall:-
- (a) clear ditches, hedgerows and bushes of any litter or refuse as often as may be necessary for the prevention of nuisance thereon; and
 - (b) ensure that a space of not less than twenty feet is kept between any two such tents, vans, sheds or other structures.

Duties of owners of land used as permanent sites

7. The owner of any land who allows to be erected or stationed on, and used on, that land any such tent, van, shed or other structure as is mentioned in byelaw 3 or byelaw 4 shall comply with the following requirements:-
- (a) if for any reason a sufficient supply of wholesome water has not been provided for the use of its inhabitants, he shall provide such a supply in a suitable and readily accessible place; and
 - (b) if for any reason sanitary accommodation, means for the disposal of waste water or a receptacle or other place, with a close fitting lid, for the deposit of refuse have not been provided and nuisance is likely to arise in consequence, he shall provide, in a suitable and readily accessible place, sufficient sanitary accommodation, adequate means for the disposal of waste water or a sufficient covered receptacle or place, with a close fitting lid, for the deposit of refuse, as the case may be, and shall maintain the same in good repair and order and in a reasonably clean and wholesome condition:

Provided that this byelaw shall not apply where a site, including the ground within twenty feet of it on every side, is not occupied by a tent, van, shed, or similar structure for longer than seventy-two hours in the aggregate within any continuous period of seven days.

Exceptions

8. Any -
- (a) building constructed to be used exclusively for the accommodation of hop pickers or other persons engaged temporarily in picking, gathering or lifting fruit, flowers, bulbs, roots or vegetables, or
 - (b) caravan, other than those stationed under the circumstances specified in paragraphs 7 to 9 inclusive of the first schedule to the Caravan Sites and Control of Development Act 1960,

shall be exempt from the operation of these byelaws.

Penalties

9. Every person who shall offend against any of the foregoing byelaws shall be liable on summary conviction to a fine not exceeding twenty-five pounds (£25), and in the case of a continuing offence to a further fine not exceeding two pounds (£2) for each day during which the offence continues after conviction therefor.

Revocation of Byelaws

10. The byelaws with respect to tents, vans sheds and similar structures used for human habitation, which were made by Winchester City Council on the 1st day of February 1934, and confirmed by the Minister of Health on 20.9.1934 Winchester Rural District Council on the 23rd day of July 1937 confirmed by the Minister of Health on 4.8.1937 and Droxford Rural District Council on 19th day of March 1938, and confirmed by the Minister of Health on 15.5.1935 are hereby revoked.
11. The foregoing Byelaws were adopted at a meeting of the Health and Works Committee of Winchester City Council held on the 11th day of March 1985.

THE COMMON SEAL of)
WINCHESTER CITY COUNCIL)
was hereunto affixed in)
the presence of:-)

R. C. DURMAN

City Secretary

This *29th* day of *July*, 1985

DET 4428

The foregoing byelaws are hereby confirmed by the Secretary of State for the Environment and shall come into operation on 1st January 1986.

A. FLEEMAN

Signed by authority of
the

An Assistant Secretary in

the Secretary of State
Environment

Department of the

4th December 1985

SAWWS129