



Public Health Act 1936

1936 CHAPTER 49

PART IX

COMMON LODGING-HOUSES.

235 Definition of " common lodging-house " .

In this Part of this Act the expression " common lodging-house " means a house (other than a public assistance institution) provided for the purpose of accommodating by night poor persons, not being members of the same family, who resort thereto and are allowed to occupy one common room for the purpose of sleeping or eating, and includes, where part only of a house is so used, the part so used.

236 No person to keep a common lodging-house unless registered in respect thereof.

No person shall keep a common lodging-house, or receive a lodger therein, unless he is registered as the keeper thereof under this Part of this Act:

Provided that—

- (a) a person who immediately before the commencement of this Act was registered under any enactment repealed by this Act as the keeper of a common lodging-house shall for a period of three months after the commencement of this Act be deemed to be registered under this Act as the keeper of that house; and
- (b) when the registered keeper of a common lodging-house dies, his widow or any other member of his family may for a period not exceeding four weeks from his death, or such longer period as the local authority may sanction, keep the house as a common lodging-house without being registered as the keeper thereof.

237 Register of common lodging-house keepers and their houses.

Every local authority shall keep a register in which shall be entered—

Status: This is the original version (as it was originally enacted).

- (a) the full names and the place of residence of every person registered as the keeper of a common lodging-house ;
- (b) the situation of every such lodging-house;
- (c) the number of persons authorised to be received in the lodging-house; and
- (d) the full names and the places of residence of any persons who are to act as deputies of the keeper of the lodging-house.

238 Provisions with respect to registration.

- (1) Subject as hereinafter provided, a local authority on receiving from any person an application for registration, or for the renewal of his registration, as a keeper of a common lodging-house, shall register the applicant in respect of the common lodging-house named in the application, or renew his registration in respect thereof, and issue to him a certificate of registration, or of renewal of registration :

Provided that the authority—

- (a) shall not register an applicant, until an officer of the authority has inspected the premises named in the application and has made a report thereon; and
 - (b) may refuse to register, or to renew the registration of, an applicant, if they are satisfied that—
 - (i) he, or any person employed, or' proposed to be employed, by him at the common lodging-house deputy or otherwise, is not a fit person, whether by reason of age or otherwise, to keep, or to be employed at, a common lodging-house; or
 - (ii) the premises are not suitable for use as a common lodging-house, or are not, as regards sanitation and water supply and in other respects, including means of escape in case of fire, suitably equipped for use as such; or
 - (iii) the use of the premises as a common lodging-house is likely to occasion inconvenience or annoyance to persons residing in the neighbourhood.
- (2) The registration of a person as a keeper of a common lodging-house shall remain in force for such period, not exceeding thirteen months, as may be fixed by the authority, but may from time to time be renewed by them for a period not exceeding thirteen months at any one time.
- (3) If a local authority refuse to grant or to renew registration under this section, they shall, if required by the applicant, deliver to him a statement in writing of the grounds on which his application is refused.
- (4) A local authority shall at any time, on the application of a person registered as the keeper of a common lodging-house, remove from the register the name of any person entered therein as a deputy of the keeper, or insert therein the name of any other person being a person approved by the authority, whom the keeper proposes to employ as a deputy, and shall make any consequential alterations in the certificate of registration.

239 Appeals against refusal of registration.

A person aggrieved by the refusal of a local authority to grant or renew registration under the preceding section may appeal to a court of summary jurisdiction.

240 Byelaws as to common lodging-houses.

Every local authority may and, if so required by the Minister, shall make byelaws—

- (a) for fixing the number of persons who may be received into a common lodging-house, and for the separation of the sexes therein;
- (b) for promoting cleanliness and ventilation in such lodging-houses, and requiring the walls and ceilings thereof to be lime-washed, or treated with some other suitable preparation, at specified intervals;
- (c) with respect to the taking of precautions when any case of infectious disease occurs in such a lodging-house; and
- (d) generally for the well-ordering of such lodging houses.

241 Management and control of common lodging-houses.

- (1) The keeper of a common lodging-house shall, if required by the local authority so to do, affix, and keep affixed and undefaced and legible, a notice with the words "Registered Common Lodging-house" in some conspicuous place on the outside of the house.
- (2) Either the keeper of the lodging-house, or a deputy registered under this Part of this Act, shall manage the lodging-house and exercise supervision over persons using it, and either the keeper or a deputy so registered shall be at the lodging-house continuously between the hours of nine o'clock in the evening and six o'clock in the morning of the following day.
- (3) The local authority may by notice require the keeper of a common lodging-house in which beggars or vagrants are received to report daily to them, or to such person as they may direct, every lodger who resorted to the house during the preceding day or night, but an authority who require such reports to be made shall supply to the keeper of the lodging-house schedules to be filled up by him with the information required and to be transmitted by him in accordance with their notice.
- (4) The keeper of a common lodging-house, and every other person having the care or taking part in the management thereof, shall at all times, if required by an authorised officer of the local authority, allow him to have free access to all parts of the house.

242 Duty of keeper of common lodging-house to notify cases of infectious disease.

When a person in a common lodging-house is suffering from any infectious disease, the keeper of the lodging-house shall immediately give notice of the case to the medical officer of health of the district, and also to the relieving officer within whose district the lodging-house is situate.

243 Power of justice to order medical examination of inmates of common lodging-house.

If a medical officer of health has reasonable grounds for believing that there is in a common lodging-house a person who is suffering, or has recently-suffered, from a notifiable disease, he may make complaint thereof upon oath to a justice of the peace, and thereupon the justice may by warrant authorise him to enter the lodging-house and examine any person found therein with a view to ascertaining whether he is suffering, or has recently suffered, from such a disease.

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244 Power to remove to hospital inmate of common lodging-house suffering from a notifiable disease.

- (1) If a local authority are satisfied that a person lodging in a common lodging-house is suffering from a notifiable disease and that serious risk of infection is thereby caused to other persons, and that accommodation for him is available in a suitable hospital or institution, they may, with the consent of the superintending body of the hospital or institution, order him to be removed thereto and maintained therein at their cost.
- (2) The officer of the local authority to whom an order under this section is addressed and any officer of the hospital or institution in question may do all acts necessary for giving effect to the order.

245 Power of court to order closing of common lodginghouse on account of notifiable disease.

If, on the application of a local authority, a court of summary jurisdiction is satisfied that it is necessary in the interests of the public health that a common lodging-house should be closed on account of the existence, or recent occurrence, therein of a case of notifiable disease, the court may make an order directing the lodging-house to be closed until it is certified by the medical officer of health of the district to be free from infection.

246 Offences in connection with common lodginghouses.

Any person who—

- (a) contravenes, or fails to comply with, any of the provisions of this Part of this Act, or any order made under the last preceding section; or
- (b) being the registered keeper of a common lodging-house, fails to keep the premises suitably equipped for use as such; or
- (c) applies to be registered as the keeper of a common lodging-house at a time when he is, under the next succeeding section, disqualified for being so registered; or
- (d) in an application for registration, or for the renewal of his registration, as a keeper of a common lodging-house makes any statement which he knows to be false,

shall be liable to a fine not exceeding five pounds, and to a further fine not exceeding forty shillings for each day on which the offence continues after conviction therefor.

247 Power of court on conviction to cancel registration and to disqualify for re-registration.

Where the registered keeper of a common lodging-house is convicted of any offence under this Part of this Act or a byelaw made thereunder, the court by which he is convicted may cancel his registration as a common lodging-house keeper and may order that he be disqualified for such period as the court thinks fit for being again registered as such a keeper.

248 Evidence in legal proceedings under Part IX.

- (1) If in any proceedings under this Part of this Act it is alleged that the inmates of any house or part of a house are members of the same family, the burden of proving that allegation shall rest upon the person by whom it is made.
- (2) In any such proceedings as aforesaid a document purporting to be a copy of an entry in the register of common lodging-houses and purporting to be certified as such by the clerk of the local authority shall be prima facie evidence of the matters recorded in the entry.
- (3) The clerk of a local authority shall supply such a certified copy as aforesaid free of charge to any person who applies for such a copy at a reasonable hour.