



# Public Health Act 1961

1961 CHAPTER 64 9 and 10 Eliz 2

## PART IV

### STREETS AND PUBLIC PLACES

#### *Parks and open spaces*

#### **52 Management of parks and pleasure-grounds.**

- (1) Sections seventy-six and seventy-seven of the <sup>M1</sup>Public Health Acts Amendment Act 1907 (which give a local authority certain powers as regards their parks and pleasure-grounds), together with Part VI of the <sup>M2</sup>Public Health Act 1925 (which extends the said section seventy-six), shall be in force throughout the district of every local authority . . . <sup>F1</sup>
- (2) When any part of a park or pleasure-ground is set apart by a local authority under paragraph (b) of subsection (1) of the said section seventy-six for the purpose of cricket, football or any other game or recreation, the local authority may, subject to the restrictions or conditions, if any, prescribed by rules made under that section, permit the exclusive use by any club or other body of persons of—
- (a) any portion of the part set apart as aforesaid, and
  - (b) the whole or any part of any pavilion, convenience, refreshment room or other building provided under that section,
- subject to such charges and conditions as the local authority think fit.
- (3) Subsection (2) of this section shall not empower a local authority to permit at one and the same time the exclusive use of—
- (a) more than one-third of the area of any park or pleasure-ground, or
  - (b) more than one-quarter of the total area of all the parks and pleasure-grounds provided by them or under their management and control,
- and in exercising their powers under paragraph (a) of that subsection, the local authority must satisfy themselves that they have not unfairly restricted the space available to the public for games and recreations.

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*Changes to legislation: There are currently no known outstanding effects for the Public Health Act 1961, Section 52. (See end of Document for details)*

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(4) Subsections (2) and (3) of this section shall be read as one with the said section seventy-six.

**Textual Amendments**

**F1** Words repealed by [Statute Law \(Repeals\) Act 1989 \(c. 43\)](#), s. 1(1), **Sch. 1 Pt. IV**

**Modifications etc. (not altering text)**

**C1** [S. 52](#) amended by [S.I. 1966/1305](#), **art. 5(1)** and [Local Government Act 1972 \(c. 70\)](#), **Sch. 14 para. 42**

**Marginal Citations**

**M1** [1907 c. 53](#).

**M2** [1925 c. 71](#).

**Changes to legislation:**

There are currently no known outstanding effects for the Public Health Act 1961, Section 52.