



Public Health Act 1936

1936 CHAPTER 49 26 Geo 5 and 1 Edw 8

PART VIII

BATHS, WASHHOUSES, BATHING PLACES, &C.

Modifications etc. (not altering text)

C1 Pt. VIII extended by [Local Government Act 1972 \(c. 70\)](#), [Sch. 14 para. 18](#)

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) . . . ^{F1}

or any of those conveniences.

Textual Amendments

F1 S. 221(b) repealed by [Local Government \(Miscellaneous Provisions\) Act 1976 \(c. 57\)](#), [Sch. 2](#)

222 Charges for use of baths, &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, [^{F2}or washhouse] 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

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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.

Textual Amendments

F2 Words substituted by [Local Government \(Miscellaneous Provisions\) Act 1976 \(c. 57\), s. 19\(6\)](#)

223 Byelaws for regulation of baths, &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.

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, &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, &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:

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- (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.
- [^{F4}(3) Nothing in this section shall authorise the use of a swimming bath or bathing place for the provision of regulated entertainment (within the meaning of the Licensing Act 2003), unless that activity is carried on under and in accordance with an authorisation (within the meaning given in section 136 of that Act).]
- ^{F5}(4)

Textual Amendments

- F3** S. 226(1) proviso repealed by [Local Government Act 1948 \(c. 26\)](#), **Sch. 2 Pt. V**
- F4** S. 226(3) substituted (24.11.2005) by [Licensing Act 2003 \(c. 17\)](#), s. 201(2), **Sch. 6 para. 16(a)** (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2)
- F5** S. 226(4) repealed (24.11.2005) by [Licensing Act 2003 \(c. 17\)](#), s. 201(2), Sch. 6 para. 16(b), **Sch. 7** (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2) (with art. 4)

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

.^{F6}, 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 [^{F7}and for the purposes of the provision, laying down or maintenance in any street of any such pipes or apparatus—

- (a) the authority shall be entitled in relation to any such pipes or apparatus to exercise the same powers as, for the purpose of carrying out its functions, are conferred on a water undertaker in relation to relevant pipes by [^{F8}section 158 of the Water Industry Act 1991] (street works); and
- (b) the provisions of that Act shall apply, with the necessary modifications, in relation to the power conferred by virtue of paragraph (a) above as they apply in relation to the power conferred by the said [^{F8}section 158];
and in this section “street” has the same meaning as in that [^{F8}Act].]

Textual Amendments

- F6** Words repealed by [Water Act 1989 \(c. 15, SIF 130\)](#), s. 190(3), **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 13(3), 17, 40(4), 41(1), 57(6), 58)
- F7** Words inserted by [Water Act 1989 \(c. 15, SIF 130\)](#), s. 190(1), **Sch. 25 para. 5** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 13(3), 17, 40(4), 57(6), 58)
- F8** Words in s. 227(a)(b) substituted (1.12.1991) by [Water Consolidation \(Consequential Provisions\) Act 1991 \(c. 60\)](#), ss. 2, 4(2), **Sch. 1 para. 2(2)**.

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228 Power of trustees to sell existing baths, &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 baths or bathing place to a local authority.

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

Any statutory undertakers supplying water,^{F9} . . . or electricity may supply water,^{F9} . . . 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.

Textual Amendments

F9 Words in s. 229 repealed (1.3.1996) by 1995 c. 45, s. 16(1), 17(5), Sch. 4 para. 3, Sch. 6; S.I. 1996/218, art. 2

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- (1) **F10**
(2) **F11**

Textual Amendments

F10 S. 230(1) repealed by Local Government Act 1972 (c. 70), Sch. 30
F11 S. 230(2) repealed by Parish Councils Act 1957 (c. 42), Sch. 2

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;
 - [^{F12}(aa) prohibit or restrict public bathing at times when and places as respects which warning is given, by the display of flags or by other means specified in the byelaws, that bathing is dangerous.]
 - (b) fix the places at which [^{F13}bathing-machines may be stationed, or] bathing huts or tents may be erected;
 - (c) regulate the manner in which [^{F14}bathing-machines,] huts or tents may be used, and the charges which may be made for the use thereof;
 - (d) [^{F15}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.

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- (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.

Textual Amendments

- F12** S. 231(1)(aa) inserted by [Local Government \(Miscellaneous Provisions\) Act 1976 \(c. 57\), s. 17\(4\)](#)
- F13** Words in s. 231(1)(b) repealed (E.) (27.1.2010) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\), ss. 135, 245\(5\), Sch. 6 para. 2\(a\), Sch. 18 Pt. 7; S.I. 2010/112, art. 2\(g\)](#)
- F14** Words in s. 231(1)(c) repealed (E.) (27.1.2010) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\), ss. 135, 245\(5\), Sch. 6 para. 2\(b\), Sch. 18 Pt. 7; S.I. 2010/112, art. 2\(g\)](#)
- F15** S. 231(1)(d) repealed (E.) (27.1.2010) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\), ss. 135, 245\(5\), Sch. 6 para. 2\(c\), Sch. 18 Pt. 7; S.I. 2010/112, art. 2\(g\)](#)

Modifications etc. (not altering text)

- C2** S. 231 extended by [Local Government \(Miscellaneous Provisions\) Act 1976 \(c. 57\), s. 17](#)
- C3** Functions of confirming byelaws or regulations made by a local authority under s. 231 now exercisable by Secretary of State: S.R. & O. 1946/1757 (Rev. XV, p112: 1946 I, p. 1012), art. 3 Sch.

232 Provision of bathing huts, &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—
- securing the purity of the water therein;
 - ensuring the adequacy and cleanliness of the accommodation thereat;
 - regulating the conduct of persons resorting thereto; and
 - 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.

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