

RUSHMOOR BOROUGH COUNCIL

PLEASURE FAIRS

Byelaws for pleasure fairs made by the Rushmoor Borough Council under section 75 of the Public Health Act 1961, as amended by section 22 of the Local Government (Miscellaneous Provisions) Act 1976.

EXTENT

1. These byelaws shall not apply to:
 - (a) a pleasure fair at which the only entertainment to which section 75 of the Public Health Act 1961 applies consists of ten-pin bowling-alleys or of ten-pin bowling-alleys together with automatic machines intended for entertainment or amusement not exceeding in number one-third of the number of bowling-alleys provided, or
 - (b) any part of a pleasure fair in respect of which a licence is for the time being in force for public music or dancing or other entertainment of the like kind; or
 - (c) any place which is not for the time being used wholly or mainly for providing, whether or not in combination with any other entertainment, any entertainment to which section 75 of the Public Health Act 1961 applies.

INTERPRETATION

2. In these byelaws:

“amusement device” means a fairground ride, contrivance, structure or other such equipment including a side stall, side show, tent, booth or similar enclosed structure, which is installed or erected and operated for or in connection with the amusement or entertainment of the public at a pleasure fair

“the Council” means Rushmoor Borough Council

“manager” means the person having control of a site occupied for the purpose of a pleasure fair whether being the owner or lessee or some other person;

“passenger carrying amusement device” means an amusement device which is either designed to allow passengers or patrons to move or travel on it by means of cars, carriages or other means, or is large enough for them to enter on to or into the structure of the device;

“person having control of any amusement device” means the person for the time being operating or managing a particular amusement device, whether he is the owner or some other person,

"pleasure fair site" means the area occupied by the pleasure fair in its entirety; a reference to a caravan, stand, stall or structure is a reference to a caravan, stand, stall or structure used or intended to be used for the purposes of or in connection with any pleasure fair, and any additional living quarters placed against or attached to a caravan shall be treated as part of that caravan.

REGULATION OF OPENING HOURS

3. (i) The manager shall not keep the pleasure fair open between the hours of 10 p.m. and 10 a.m.;
- (ii) Except on Saturdays, Sundays and Bank Holidays, the manager shall not keep the pleasure fair open between the hours of 9 p.m. and 12 noon;
- (iii) The Council may, by resolution, vary these hours in specified cases or generally.

NOTICE

4. (i) The manager shall give the Council in writing at least 5 working days' prior notice of the intention to hold a pleasure fair, specifying the dates and the place at which such a pleasure fair is to be held.
- (ii) The notice to be given under this byelaw shall be in addition to and not in substitution for any notice required to be given under any other enactment.

FIRE PREVENTION, SAFE INGRESS AND EGRESS, SANITARY CONDITIONS, CLEANLINESS, ORDER AND PUBLIC SAFETY

5. (i) The manager shall to the satisfaction of the Council and the fire authority arrange the pleasure fair site so as to allow for adequate means of access by fire appliances to within 50 metres of any structure. He shall ensure that access routes are not normally less than 4 metres wide; that they shall have no overhead obstruction or cable less than 4.5 metres above the ground, and that they shall be capable of taking the weight (about 12 tonnes) of fire appliances in all weathers; and that emergency vehicle routes within the site are to be kept clear of obstruction at all times.
- (ii) The manager shall to the satisfaction of the Council and fire authority provide a sufficient number of entrances and exits from the site and he shall ensure that these shall be kept open and free of obstruction when the public are on the premises. (The exits need not be kept open where the doors or gates are secured by suitable panic bolts or other safety devices of a similar nature which enable them to be immediately opened from the inside.) The manager shall ensure that break glass fastenings are not installed on exits.
- (iii) The manager shall to the satisfaction of the Council and the fire authority ensure that there is a sufficient number of gangways of adequate width between amusement devices and that they are kept free from obstruction.

- (iv) The manager shall ensure that access to fire hydrants and other water supplies is not obstructed or obscured.
 - (v) The manager shall consult the fire authority regarding fire precautions at the pleasure fair and have due regard to their comments; provide and maintain fire-fighting equipment and such means of giving warning of fire as may be required; keep the means for fighting fire in places where it is visible, easily, located and readily available for use; and ensure that all personnel and attendants know what action to take in the event of a fire, including evacuation procedures.
 - (vi) The manager shall ensure that adequate procedures are in place for summoning the fire brigade and that all members of staff are aware of, and are able to carry out, these procedures.
6. The manager shall provide fire safety signs to indicate clearly emergency exit routes from any part of the pleasure fair to which the public are admitted.
 7. The manager shall ensure that all parts of the pleasure fair to which the public have access and all external exit ways shall be provided with both normal lighting and emergency lighting and shall ensure that the lighting is capable of providing sufficient illumination of those parts for all persons using the premises to leave safely.
 8. The manager shall ensure that any heat producing equipment is suitably guarded, fixed in position and secured so as to prevent, as far as is reasonably practicable, interference by unauthorised persons.
 9. A person having control of any amusement device at a pleasure fair shall provide to the satisfaction of the Council and the fire authority adequate exits therefrom and shall, if there are stalls or other temporary structures or seating accommodation within the amusement device, ensure that a sufficient number of gangways of adequate width are provided. Such persons shall while the public are present keep such exits and gangways unlocked and free from obstruction, and ensure that exit signs are displayed.
 10. A person having control of any amusement device at a pleasure fair in which seating is provided for more than 30 persons shall ensure that seating and gangways are fixed and arranged to the satisfaction of the Council and the fire authority, and that:
 - (i) seats and gangways allow free and ready access direct to the exit of the amusement device;
 - (ii) all seats are securely fixed in position or rigidly linked together in rows except where chairs are placed in boxes or separate enclosures; and
 - (iii) there are sufficient gangways to allow for safe egress from the amusement device.

11. The manager of a pleasure fair shall, where adequate sanitary accommodation is not already available within reasonable distance of all parts of such pleasure fair:
 - (a) provide sufficient and suitable sanitary conveniences for the public attending the pleasure fair,
 - (b) label separate conveniences for men and women respectively in such proportion as may be appropriate;
 - (c) maintain the conveniences in good repair and in a clean and wholesome condition; and
 - (d) cause the conveniences and the labels provided in accordance with this byelaw to be adequately illuminated during the hours of darkness while the public are at the pleasure fair.
12. A person occupying any part of a pleasure fair shall, as respects that part, and the manager shall, as respects any part of the premises not occupied by some other person:
 - (a) as far as is reasonably practicable cause that part to be kept in clean condition; and
 - (b) as often as is necessary cause any refuse or litter within that part to be collected and deposited in a suitable receptacle.
13. The manager shall cause all refuse and litter to be collected at suitably frequent intervals from all such receptacles as are maintained in the foregoing byelaw and to be removed to a place where it will not cause hazard or nuisance.
14. The manager shall ensure that:
 - (a) all grass and vegetation around the amusement devices, vehicles, trailers, caravans and other structures is kept short and any cuttings removed; and
 - (b) the spaces beneath and between amusement devices, vehicles, trailers and caravans are not used for the storage of combustible materials.
15. On vacation of the site on which a pleasure fair has been held or any part thereof, the manager shall remove or cause to be removed any refuse or litter remaining thereon, so as to leave it in a clean and tidy condition.
16. Every person having control of a caravan shall ensure that it is sited in such a position that sufficient space is maintained between it and any other caravan or structure to allow for means of escape in case of fire.

PENALTY

17. Any person offending against any of the foregoing byelaws shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

DEFENCE

18. It shall be a defence for a person to prove that he had taken all reasonable precautions and exercised all due diligence to prevent the commission of an offence under these byelaws.

Dated this 2nd day of February 2001

Sealed by the COUNCIL
in the presence of

Mayor

Solicitor to the Council

The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into operation on the seventh day of May 2001.

Signed by authority of the Secretary of State

T K Cobley
Head of Unit
Constitutional and Community Policy Directorate

6 April 2001
Home Office
London SW1