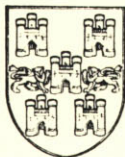


WINCHESTER CITY COUNCIL



BYE LAWS
for
PLEASURE FAIRS
made by
Winchester City Council

WINCHESTER CITY COUNCIL
BYELAWS FOR PLEASURE FAIRS
MADE BY THE WINCHESTER CITY COUNCIL
UNDER SECTION 75 OF THE PUBLIC HEALTH ACT 1961,
AS AMENDED BY SECTION 22
OF THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS)
ACT 1976.

Extent of Byelaws

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:

"the Council" means the Winchester City Council;

"amusement device" means a 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.

"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;

"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;

"children's ride" means a riding contrivance designed, constructed and provided for use by children;

"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, carriage or other means, or is large enough for them to enter onto or into the structure of the device.

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 12 midnight and 10 am on weekdays nor on Sundays or Christmas Day.
 - ii. The Council may, by resolution, vary these hours in specified cases or generally.

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 the 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 open from the inside).
- iii. The manager shall to the satisfaction of the Council and the fire authority ensure that there are 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 hydrants and other water supplies is not obstructed or obscured.
- v. The manager shall ensure that all structures and amusement devices are erected by a competent person and maintained in a safe condition; that they shall not readily collapse when exposed to fire and that floor coverings shall be fitted so as not to constitute an obstruction or tripping hazard.

- vi. The manager shall consult the fire authority regarding fire precautions at the pleasure fair and have due regard to their comments; provide and maintain firefighting equipment and such means of giving warning of fire as may be required; keep the means for fighting fire in places where they are 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.
6. The manager shall provide fire safety signs, notices and graphic symbols to indicate clearly 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 exitways shall be provided with both normal lighting and emergency lighting capable of giving sufficient illumination of those parts for the public 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 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. A person having control of any amusement device or passenger carrying amusement device shall, as far as is reasonably practicable, ensure that the structure and any platform, seating accommodation or other structure used in connection therewith is of such material and design and so constructed and maintained that it is not liable, when used for the purpose and in the manner for which it is intended, to cause injury to any person.
12. A person having control of any passenger carrying amusement device shall cause such a device:-
- a. to be securely erected;
 - b. to be placed at sufficient distance from any other passenger carrying amusement device and any other structure.
13. A person having control of any passenger carrying amusement device shall ensure that displayed on or near the device in question is a certificate granted by a competent engineer within the preceding 14 months to the effect that the device has been inspected and found to be in a condition such as not to present a danger to the public.
14. A person having control of any passenger carrying amusement device shall ensure that it is operated at all times by a responsible person aged 18 years or over.

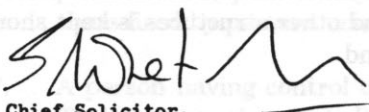
Provided that:

- a. a children's ride which is not controlled by the passenger may be operated by a responsible adequately trained person above compulsory school age; and
 - b. nothing in this byelaw shall apply to coin operated children's rides constructed for use by not more than 4 persons.
15. A person having control of any passenger carrying amusement device shall ensure that it is not operated when weather conditions are such as to jeopardise the safety of persons using the device.

16. Any person having control of a shooting gallery shall provide and maintain such backstops and screening as may be reasonably practicable to protect any person attending the pleasure fair from shots fired by persons using the shooting gallery.
17. A person having control of any animal which, if at large, would be likely to cause danger to the public attending the pleasure fair, shall take all reasonable steps to secure or cage the animal in such manner as not to be a cause of danger while the public are at the pleasure fair.
18. 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.
19. 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 persons:-
 - a. so far as is reasonably practicable cause that part to be kept in clean condition;
 - b. as often as is necessary cause any refuse or litter within that part to be collected and deposited in a suitable receptacle.
20. 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.

21. 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.
22. 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.
23. 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.
24. 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.
25. 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.

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



Chief Solicitor.

The foregoing byelaws) are hereby confirmed by the Secretary of State
and shall come into operation on the 27th day of APRIL 1992.

Signed by authority of the Secretary of State



R. J. FRIES

An Assistant Under-Secretary of State

31 MAR 1992
Home Office
LONDON. SW1.

