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MODEL BYELAWS – SET 3

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***[Name of Council]***

**BYELAWS FOR AMUSEMENT PREMISES**

ARRANGEMENT OF BYELAWS

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Byelaws for amusement premises made by the [*insert name of council*] under section 75 of the Public Health Act 1961, as amended by section 22 of the Local Government (Miscellaneous Provisions) Act 1976 and section 20 of the Local Government Byelaws (Wales) Act 2012.

## **Interpretation**

1. In these byelaws:
  - (a) "amusement premises" means any place used wholly or mainly to provide entertainments within the meaning of section 75(3)(f) of the Public Health Act 1961, and includes any structure, stationary vehicle, vessel, stall, caravan, trailer or tent in which there are automatic or other machines intended for entertainment or amusement;
  - (b) "the Council" means [*insert name of council*];
  - (c) "manager" means the person having control of the entertainments provided or proposed to be provided at the amusement premises as defined in byelaw (1)(a) above.

## **Application**

2. (a) These byelaws apply only to pleasure fairs within the meaning of section 75(2) of the Public Health Act 1961 which are amusement premises;
- (b) these byelaws do not apply to premises licensed or registered under Part 8 of Gambling Act 2005. or to members' clubs and miners' welfare institutes registered under Part 12 sections 266 and 268 of that Act.

## **Regulation of opening hours**

3. (i) The manager must not keep the amusement premises open between the hours of [*insert*] and [*insert*].
- (ii) The Council may, by resolution, vary these hours in specified cases or generally.
4. (i) The manager must give the Council in writing at least 5 working days prior notice of the intention to use any amusement premises, specifying the date and the place at which such amusement premises are to be used.
- (ii) The notice to be given under this byelaw must be in addition to and not in substitution for any notice required to be given under any other enactment.

## **Safe Egress**

5. (i) The manager must provide to the satisfaction of the Council and the fire

authority sufficient exits from the amusement premises to enable persons using the premises to leave safely to a place of safety in the open air and, while members of the public are on the premises, must ensure that any doors which afford a means of exit are not locked or fastened in such a manner that they cannot be easily and immediately opened by persons leaving the premises in an emergency. Where exit doors are provided with panic bolts, they must be clearly marked "push bar to open".

- (ii) The manager must provide fire safety signs to indicate clearly the emergency exit routes from any part of the premises to which the public are admitted.
6. The manager is to be responsible for ensuring that all gangways and exit routes are of sufficient width and are kept free of obstruction.

### **Nuisance, cleanliness, order and public safety**

7. The manager must ensure that all parts of the amusement premises to which persons have access and all external exit ways are provided with both normal lighting and emergency lighting to the satisfaction of the fire authority and must 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 must ensure that all lighting systems are maintained in proper working order and that the premises are adequately lit at all times that persons are on the premises.
9. The manager must ensure that all heating equipment is installed so as to avoid:
- (a) danger of fire or of injury to persons using the amusement premises; and
  - (b) as far as is reasonably practicable, interference by unauthorised persons.
10. The manager must not knowingly permit:
- (a) the amusement premises to be the habitual resort or place of meeting of reputed prostitutes, but this does not prohibit the manager from permitting such persons to remain on the premises for the purpose of using the amusement machines for such time as is necessary for that purpose; and
  - (b) any person who is drunk or disorderly to enter or remain on the amusement premises.
11. (a) The manager must take such steps as are reasonably practicable to eliminate the escape of noise from the amusement premises.

- (b) The manager must ensure that, where possible, the external doors to the amusement premises remain closed, except when in use, by fitting them with a device for automatic closure or by similar means.
12. The manager must ensure that the amusement premises are under the supervision of at least one responsible, adequately trained person at all times when those premises are open for business.

### **Fire Prevention**

13. The manager must:
- (a) consult the fire authority regarding fire precautions in the amusement premises and have due regard to their comments;
  - (b) provide and maintain in good repair and efficient working order:
    - (i). such means for fighting fire; and
    - (ii). such means of giving warning in case of fire as are required by the fire authority;
  - (c) keep the means for fighting fire in a place where it is easily located and readily available for use; and
  - (d) train all staff in what action to take in the event of fire, including evacuation procedures, and keep a record of such training.

### **Penalty**

- 14 Any person offending against any of the foregoing byelaws is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

### **Defence**

15. It is 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.

### **Revocation**

16. The byelaws for amusement premises made by [*insert name of council that made previous byelaw*]s on [*insert day, month and year*] and confirmed on [*insert day, month and year*] by [*insert name of confirming authority*] are revoked.