

**BYE-LAWS**  
in respect of  
**THE REGULATION OF THE TRADE**  
or  
**BUSINESS of FISH FRYING**

BYELAWS

BYELAWS made under Section 108 of the Public Health Act, 1936, as amended by Section 272 and Schedule 30 of the Local Government Act, 1972 by the Council of the Borough of Burnley for the regulation of the trade or business of fish-frying carried on or in any premises or streets within the Borough.

1. In these byelaws –

“the Council” means the Council of the Borough of Burnley; “trade” includes business and “vehicle” includes any cart or barrow and “structure” means any stall or similar structure in any street in the Borough of Burnley

2. A fish-fryer shall not cause or suffer any vessel or receptacle which has contained wet fish to be kept for a longer period than twenty-four hours upon the premises, vehicle or structure where his trade is carried on, unless such vessel or receptacle has been thoroughly cleansed.

3. Every fish-fryer shall -

- (i) provide a sufficient number of vessels or receptacles, properly constructed of galvanised iron or of some other non-absorbent material and furnished with closely fitting covers, for the purpose of receiving and conveying from the premises, vehicles or structure where his trade is carried on all waste fish, guts, garbage and other putrescible refuse;
- (ii) cause all waste fish, guts, garbage and putrescible refuse resulting from his trade to be placed immediately in such vessels or receptacles, and to be removed therein from the premises, vehicles or structure within thirty-six hours;

- (iii) cause the floor or base and all other internal surfaces of every room or building, upon the premises or of every vehicle or structure in which any process of his trade is carried on to be kept at all times in good order and repair so as to prevent the absorption therein of any liquid, filth, or refuse, or any noxious or injurious matter which may be splashed thereon;
- (iv) cause the floor or base and all other internal surfaces of such room or building, vehicle or structure and all apparatus, utensils and appliances used in such room or building, vehicle or structure for the purposes of his trade, and every vessel or receptacle in which any trade materials or any waste fish, guts, garbage, or other putrescible refuse is placed to be kept as far as practicable clean;
- (v) cause the room or enclosure in which his stove is situated to be provided with adequate and permanent means of ventilation to the external air;
- (vi) (a) cause every stove used for the purpose of his trade to be provided with side screens and a suitable hood of hard smooth and impervious material, and cause such hood to be connected with a flue having a good draught; or  
(b) cause every pan in such stove to be completely covered with a suitable cover having an aperture which shall communicate directly with such a flue or with a suitable condenser
- (vii) except where communication is made with a suitable condenser in accordance with the foregoing paragraph of this byelaw, cause the gas or vapour either –
  - (a) to be discharged from such flue into the external air in such a manner and at such a height as to admit of the diffusion of the gas or vapour without noxious or injurious effects; or
  - (b) to pass from such flue through a fire or into a suitable condensing apparatus, in such a manner as effectually to consume the gas or vapour; or
  - (c) to be deprived of noxious or injurious properties by some other not less effectual means

Provided that unless provisions corresponding with paragraphs (vi) and (vii) of this byelaw were in force in the area to which this byelaw applies immediately before it comes into operation the said paragraphs shall not apply to any premises, vehicles or structure where the trade of fish-frying was carried on at

the date of the confirmation of these byelaws, until the expiry of twelve months from such confirmation.

General Provisions

4. Every person to whom any of the foregoing byelaws may apply shall cause every drain or means of drainage upon or in connexion with the premises where his trade is carried on to be maintained at all times in good order and efficient action.

Penalties

5. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding twenty pounds and in the case of a continuing offence to a further fine not exceeding five pounds for each day during which the offence continues after conviction therefore.

The Common Seal of the Council            )  
of The Borough of Burnley                )  
was hereunto affixed on the 26<sup>th</sup> day  
of January 1977 in the presence of        )

Ruth I Pilling  
Mayor

G H Carpenter  
Deputy Town Clerk

The foregoing byelaws are hereby confirmed by the Secretary of State for the Environment and shall come into operation on 1<sup>st</sup> July 1977.

Signed            J G Thompson  
An Assistant Secretary in the Department of the Environment

Department of the Environment  
2 Marsham St  
London  
30<sup>th</sup> May 1977

I hereby certify that this is a true copy of the Byelaws approved by the Secretary of State on the 30<sup>th</sup> May 1977

BRIAN WHITTLE  
Chief Executive Officer