

WINCHESTER CITY COUNCIL



BYELAWS
as to the control of
PLEASURE GROUNDS
made by
Winchester City Council

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Byelaws made under Section 164 of the Public Health Act 1875
by Winchester City Council with respect to Pleasure Grounds

1. Throughout these Byelaws the expression "the Council" means Winchester City Council and the expression "the ground" means the grounds listed in Schedule 1 to these Byelaws.
2. An act necessary to the proper execution of his duty in the ground by an officer of the Council, or by any person or servant of any person employed by the Council, shall not be deemed an offence against these byelaws.
3. A person shall not in the ground
 - (i) climb any wall or fence in or enclosing the grounds, or any tree or any barrier, railing, post or other erection.
 - (ii) without reasonable excuse remove or displace any wall or fence in or enclosing the ground, or any barrier, railing, post or seat, or any part of any erection or ornament, or any implement provided for use in the laying out or maintenance of the ground.
 - (iii) remove or displace any soil or plant.
4. A person shall not, except in pursuance of a lawful agreement with the Council, or otherwise in the exercise of any lawful right or privilege, bring, or cause to be brought into the pleasure ground any cattle, sheep, goats or pigs or any beast of draught or burden.
5. A person shall not cause or suffer any dog belonging to him or in his charge to remain in the ground unless such dog be and continue to be under proper control, and be effectively restrained:-
 - (i) from causing annoyance to any person.
 - (ii) from worrying or disturbing any animal or water fowl.
 - (iii) from entering any lake, pond or stream, or any paddling or boating pool or other water.
6. No person shall on any footway in the ground, skate on rollers, skateboards, wheels or other mechanical contrivances to the danger of other persons lawfully using the footway.
7. A person shall not, except in the exercise of any lawful right or privilege, bring or cause to be brought into the ground any barrow, truck, machine or vehicle other than:-
 - (i) a wheeled bicycle, tricycle or other similar vehicle.
 - (ii) a wheelchair or perambulator drawn or propelled by hand and used solely for the conveyance of a child or children or an invalid,and shall not except in the exercise of any lawful right or privilege ride any bicycle, tricycle or other similar machine in any part of the ground.

Provided further that where the Council set apart a space in the ground for the use of any class of vehicle, this byelaw shall not be deemed to prohibit the driving in or to that space by a direct route from the entrance to the ground of any vehicle of the class for which it is set apart.

8. The person who brings a vehicle into the ground shall not wheel or station it over or upon:-

(i) any flower bed, shrub, or plant, or any ground in course of preparation as a flower bed, for the growth of any tree, shrub or plant;

(ii) any part of the ground where the Council by a notice board affixed or set up in some conspicuous position in the ground prohibits its being wheeled or stationed.

9. A person shall not in the ground ride or drive any vehicle at such a speed or in such manner as to cause danger to other persons in the ground or without reasonable consideration for such persons.

10. A person shall not affix any bill, placard, or notice to or upon any wall or fence in or enclosing the ground, or to or upon any tree, or plants, or to or upon any part of any building, barrier, or railing, or of any seat, or of any erection or ornament in the ground.

11. A person shall not in the pleasure ground:-

(i) except as hereinafter provided erect any post, rail, fence, pole, tent, booth, stand, building, or other structure:

Provided that this prohibition shall not apply whereupon an application to the Council they grant permission to erect any post, rail, fence, pole, tent, booth, stand, building, or other structure, upon such occasion and for such purpose as are specified in the application.

(ii) sell, or offer or expose for sale, or let to hire, or offer or expose for letting to hire, any commodity or article, unless, in pursuance of an agreement with the Council, or otherwise in the exercise of any lawful right or privilege, he is authorised to sell or let to hire in the pleasure ground such commodity or article

12. A person shall not in the ground:-

(i) Bathe, wade or wash in any boating lake or in any ornamental lake, pond, stream, or other water.

(ii) Without reasonable excuse foul or pollute any such water.

13. A person shall not in the ground intentionally obstruct, disturb or annoy any other person in the proper use of the ground, or intentionally obstruct or disturb any officer of the Council in the proper execution of his duty, or any person or servant of any person employed by the Council in the proper execution of any work in connection with the laying out of or maintenance of the ground.

14. A person shall not by playing any musical instrument or operating or causing or suffering to be operated any wireless set, gramophone, amplifier, tape recorder or similar instrument, cause or suffer to be made any noise which is so loud or so continuous or repeated as to give reasonable cause for annoyance to other persons in the ground.
15. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding £100.
16. Every person who shall infringe any byelaw for the regulation of the ground may be removed therefrom by an officer of the Council or by any constable, in any one of the several cases hereinafter specified, that is to say:-
 - (i) where the infraction of the byelaw is committed within the view of such officer or constable, and the name and residence of the person infringing the byelaw are unknown to and cannot be readily ascertained by such officer or constable
 - (ii) where the infraction of the byelaw is committed within the view of such officer or constable, and from the nature of such infraction, or from any other fact of which such officer or constable may have knowledge, or of which he may be credibly informed, there may be reasonable ground for belief that the continuance in the ground of the person infringing the byelaw may result in another infraction of the byelaw, or that the removal of such person from the ground is otherwise necessary as a security for the proper use and regulations thereof.

Repeal of Byelaws

17. The byelaws with respect to pleasure grounds which were made by the Mayor, Aldermen and Citizens of the City of Winchester on the 7th day of June 1934 and confirmed by the Minister of Health on the 7th November 1934 and made on the 7th day of December 1949 and confirmed by the Minister of Health on the 20th day of March 1950 are hereby repealed.

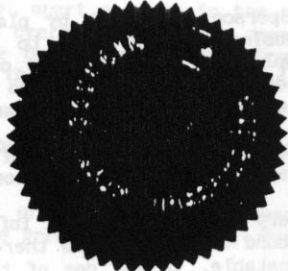
Schedule

Abbey Grounds
 Orams Arbor
 St. Giles Hill Recreation Ground
 Stanmore Recreation Ground
 The Weirs Promenade
 North Walls Park Childrens Play Area
 Joyce Gardens

THE COMMON SEAL OF Winchester)
 City Council was hereunto)
 affixed in the presence of:-)

City Secretary

THE COMMON SEAL OF Winchester)
City Council was hereunto)
affixed in the presence of:-)



[Handwritten signature]

City Secretary

Dated this 17th day of January 1986

SAWMM006

The foregoing bylaw(s) ~~is/are~~ hereby confirmed by the Secretary of State
and shall come into operation on the 14th day of May 1986.

Signed by authority of the Secretary of State

[Handwritten signature]

M. E. HEAD

An Assistant Under-Secretary of State

30 APR 1986

Home Office
LONDON, SW1.

NO. IN
SERIAL
REGISTERED 11044