

THE URBAN DISTRICT OF
HAVANT AND WATERLOO

BYELAWS

made by

THE URBAN DISTRICT COUNCIL
OF HAVANT AND WATERLOO

under Section 164 of the Public Health Act, 1875, with respect to the pleasure grounds named in Part I of the Schedule hereto and under Section 15 of the Open Spaces Act, 1906, with respect to the pleasure ground named in Part II of the said Schedule.

B. R. W. GOFTON,
Clerk of the Council.

TOWN HALL,
HAVANT.

BYELAWS

1. Throughout these byelaws the expression "the Council" means the Urban District Council of Havant and Waterloo, and the expression "the pleasure ground" means each of the pleasure grounds named in the Schedule hereto.
2. An Act necessary to the proper execution of his duty in the pleasure 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 pleasure ground -
 - (i) carelessly or negligently deface, injure or destroy any wall or fence in or enclosing the pleasure ground, or any building, barrier, railing, post or seat, or any erection or ornament, or any children's playground equipment;
 - (ii) wilfully, carelessly or negligently soil or defile any walls fence in or enclosing the pleasure ground, or any building, barrier, railing, post

or seat, or any erection or ornament, or any children's playground equipment;

(iii) climb any wall or fence in or enclosing the pleasure ground or any tree, or any barrier, railing, post or other erection;

(iv) wilfully, carelessly, or negligently remove or displace 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 pleasure ground.

4. A person shall not bring or cause to be brought into the pleasure ground any cattle, sheep, goats or pigs, or any beast of draught or burden, unless in pursuance of an agreement with the Council, or otherwise in the exercise of any lawful right or privilege, he is authorised to do so.

5. (i) A person shall not except in the exercise of any lawful right or privilege bring or cause to be brought into the pleasure ground any barrow, truck, machine or vehicle other than-

(a) a wheeled bicycle, tricycle or other similar machine;

(b) a wheelchair, perambulator or chaise drawn or propelled by hand and used solely for the conveyance of a child or children or an invalid.

Provided that where the Council set apart a space in the pleasure 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 pleasure ground of any vehicle of the class for which it is set apart.

(ii) A person 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 pleasure ground.

6. A person who brings a vehicle into the pleasure 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, or for the growth of any tree, shrub or plant;

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

7. A person shall not in the pleasure ground -

(i) remove, cut or displace any soil, turf or plant;

(ii) pluck any bud, blossom, flower or leaf of any tree, shrub or plant.

8. A person shall not cause or suffer any dog belonging to him or in his charge to enter or remain in the pleasure ground, unless such dog be and continue to be under proper control and be effectually restrained from causing annoyance to any person, and from worrying or disturbing any animal or waterfowl, and from entering any ornamental water.

9. Where the Council set apart any such part of the pleasure ground as may be fixed by the Council, and described in a notice board affixed or set up in some conspicuous position in the pleasure ground, for the purpose of any game specified in the notice board, which, by reason of the rules or manner of playing, or for the prevention of damage, danger, or discomfort to any person in the pleasure ground may necessitate, at any time during the continuance of the game, the exclusive use by the player or players of any space in such part of the pleasure ground – a person shall not in any space elsewhere in the pleasure ground play or take part in any game so specified in such a manner as to exclude persons not playing or taking part in the game from the use of such a space.

10. A person resorting to the pleasure ground and playing or taking part in any game for which the exclusive use of any space in the pleasure ground has been set apart shall -

- (i) not play on the space any game other than the game for which it is set apart;
- (ii) in preparing for playing and in playing, use reasonable care to prevent undue interference with the proper use of the pleasure ground by other persons;
- (iii) when the space is already occupied by other players not begin to play thereon without their permission;
- (iv) where the exclusive use of the space has been granted by the Council for the playing of a match, not play on that space later than a quarter of an hour before the time fixed for the beginning of the match unless he is taking part therein;
- (v) except where the exclusive use of the space has been granted by the Council for the playing of a match in which he is taking part, not use the space for a longer time than two hours continuously, if any other player or players make known to him a wish to use the space.

11. A person shall not in any part of the pleasure ground which may have been set apart by the Council for any game play or take part in any game when the state of the ground or other cause makes it unfit for use and a notice is set up in some conspicuous position prohibiting play in that part of the pleasure ground.

12. A person shall not in the pleasure ground walk, run, stand, sit or lie upon

- (i) any grass, turf or other place where adequate notice to keep off such grass, turf or other place shall be placed;

Provided that such notice shall not apply to more than 1/5th of the area of the pleasure ground;

- (ii) any bowling green:

Provided that this byelaw shall not be deemed to apply to a person taking part in the game of bowls.

13. Where the Council set apart any such part of the pleasure ground, or any playground equipment, as may be fixed by the Council, and described in a notice board affixed or set up in some conspicuous position on or near thereto, for the use by children under the age of fifteen years, a person who has attained the age of fifteen years shall not play or take part in any game in any such part of the pleasure ground or use such playground equipment.

14. A person shall not in the pleasure ground play any musical instrument to the annoyance of other persons using the pleasure ground

15. 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 where upon 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.

16. A person shall not in the pleasure ground wilfully obstruct, disturb, interrupt, or annoy any other person in the proper use of the pleasure ground, or wilfully obstruct, disturb, or interrupt 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 or maintenance of the pleasure ground.

17. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding five pounds.

18. Every person who shall infringe any byelaw for the regulation of the pleasure ground may be removed therefrom by any 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 pleasure ground of the person infringing the byelaw may result in another infraction of a byelaw, or that the removal of such person from the pleasure ground is otherwise necessary as a security for the proper use and regulation thereof.

Repeal of Byelaws.

19. The byelaws with respect to pleasure grounds which were made by the Local Board for the District of Havant acting as the Urban Sanitary Authority on the 4th day of July, 1889, and allowed by the Local Government Board on the 20th day of July, 1889, and made by the Urban District Council of Havant on the 31st day of December, 1906, and allowed by the Local Government Board on the 2nd day of March, 1907, are hereby repealed.

SCHEDULE

PART I

Pleasure grounds with respect to which byelaws are made under Section 164 of the Public Health Act, 1875:-

St. Christopher's Children's Playground,
St. Christopher's Road, Bedhampton.

Bidbury Mead Recreation Ground,
Bidbury Lane, Bedhampton.

Scratchface Recreation Ground,
Scratchface Lane, Bedhampton.

Cowplain Recreation Ground,
Padnell Road, Cowplain.

Havant Park,
Elm Lane, Havant.

Hayling Park Recreation Ground,
Beach Road, Hayling Island.

Children's Playground,
Northney Road, Hayling Island.

Bittern Children's Playground,
Bittern Close, Leigh Park.

Front Lawn Recreation Ground,
Somborne Drive, Leigh Park.

Fielders Park Recreation Ground,
Alsford Road, Purbrook.

Thicket Dell Children's Playground,
Privett Road, Purbrook.

Purbrook Heath Recreation Ground,
Purbrook.

Kingsclere Recreation Ground,
Kingsclere Avenue, Leigh Park.

Riders Children's Playground,
Riders Lane, Stockheath, Leigh Park.

Waterloo Recreation Ground,
Rowlands Avenue, Waterlooville.

PART II

Pleasure ground with respect to which byelaws are made under Section 15 of the Open Spaces Act, 1906.

Nore Barn Open Space,
Warblington Road, Emsworth.

THE COMMON SEAL OF THE URBAN
DISTRICT COUNCIL OF HAVANT AND
WATERLOO was hereunto affixed on the
Twelfth day of July 1963

Sealed by the
Council

(Sgd.) B. R. W. GOFTON,
Clerk of the Council.

The Secretary of State this day confirmed the foregoing byelaws and fixed the date on which they are to come into operation as the 1st day of November, 1963.

Sealed by the
Council

R. J. GUPPY,
An Assistant Under Secretary of State

HOME OFFICE, WHITEHALL.
2nd October, 1963.