

BYE-LAWS

MADE BY

**The Urban District Council of Warblington**

WITH RESPECT TO

**The Open Space known as the  
Emsworth Diamond Jubilee Recreation  
Ground.**

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1. Throughout these bye-laws the expression "the Council" means the Urban District Council of Warblington, and the expression "the open space" means the open space known as The Emsworth Diamond Jubilee Recreation Ground.
2. The open space shall (excepting on any day when, in pursuance of any statutory provision in that behalf, the Council may close the open space to the public) be opened at the hour of 8 in the forenoon and shall be closed one hour after sunset in the afternoon of every day during the year, and a person other than an officer of the Council, or a person or a servant of a person employed by the Council in or about any work in connexion with the laying out, planting, improvement, or maintenance of the open space, shall not on any day on which the open space may be open to the public enter the open space before the time hereinbefore appointed for the opening thereof, or enter the open space or remain therein after the time herein before appointed for the closing thereof.

Provided that this bye-law shall not apply to any path in the open space over which there is a public right of way.

3. A person shall not enter or quit the open space otherwise than through some one of the gates, wickets, passages, or openings appointed by the Council as the authorized means of entrance to or egress from the open space.
4. A person shall not wilfully or improperly remove or displace any board, plate, or tablet, or any support, fastening, or fitting of any board, plate, or tablet used or constructed or adapted to be used for the exhibition of any bye-law or notice, and fixed or set up by the Council in any part of the open space, or in or on any building or structure therein, or at or near to any one of the appointed means of entrance to or egress from the open space, or in or on any wall or fence enclosing the open space.
5. A person shall not carelessly or negligently deface, injure, or destroy any part of any wall or fence in or enclosing the open space, or any part of any building, barrier, or railing, or of any fixed or movable seat, or of any other structure or erection in the open space.

6. A person shall not wilfully, carelessly, or negligently remove or displace any barrier, railing or post, or any fixed or movable seat, or any part of any building, structure, or erection, or any monument, work of art, ornament, or decoration, or any implement, utensil, apparatus, appliance, or article provided for use or used or adapted to be used in the laying out, planting, improvement, or maintenance of the open space, or in the care, cultivation, or protection of any tree, sapling, shrub, underwood, gorse, or other plant in the open space.
7. A person, other than an officer of the Council, or a person or a servant of a person employed by the Council in or about any work in connexion with the laying out, planting, improvement, or maintenance of the open space, shall not at any time ride, drive or bring, or cause or suffer to be ridden, driven, or brought into the open space any beast of draught or burden.
8. A person shall not drive or bring, or cause to be driven or brought into the open space any bull, ox, cow, heifer, steer, calf, sheep, lamb, hog, pig or sow, unless, in pursuance of an agreement with the Council, or otherwise in the exercise of any lawful right or privilege, such person may be duly authorized to drive or bring any such animal or to cause any such animal to be driven or brought into the open space for pasturage or for any other lawful purpose.
9. A person, other than an officer of the Council, or a person or a servant of a person employed by the Council in or about any work in connexion with the laying out, planting, improvement, or maintenance of the open space, shall not at any time drive or wheel, or cause or suffer to be driven or wheeled into the open space, any barrow, truck, or machine, or any vehicle other than a wheeled chair drawn or propelled by hand, or a perambulator or a chaise drawn or propelled by hand, and used solely for the conveyance of a child or children, or an invalid.

Provided that the foregoing byelaw shall not be deemed to prohibit the driving or wheeling of any bicycle, tricycle, velocipede, or other similar machine, in any part of the open space which is for the time being appointed or intended or adapted for the use of such machines, and is indicated in a notice or notices affixed or set up in a conspicuous position in the open space.

10. A person who shall wheel or bring, or cause to be wheeled or brought into the open space a wheeled chair drawn or propelled by hand, or a perambulator or a chaise drawn or propelled by hand and used solely for the conveyance of a child or children, or an invalid, shall not at any time wheel or station such chair, perambulator, or chaise or cause or suffer such chair, perambulator, or chaise to be wheeled or stationed over or upon any part of a flower bed, or over or upon any tree, sapling, shrub, underwood, gorse, or other plant, or any ground in course of preparation or cultivation as a flower bed, or for the reception or growth of any tree, sapling, shrub, underwood, gorse, or other plant.

Where, by a notice or notices affixed or set up in some conspicuous position at or near to each of the several entrances to the open space, the Council

may from time to time prohibit the use by any such wheeled chair, perambulator, or chaise of such part or parts of the open space as shall be defined or described in such notice or notices, a person shall not, at any time, while such notice or notices shall continue so affixed or set up, wheel or station any such chair, perambulator, or chaise, or cause, or suffer any such chair, perambulator, or chaise to be wheeled or stationed over or upon such part or parts of the open space.

11. A person, other than an officer of the Council, or a person acting in pursuance of their directions in that behalf, shall not affix or post any bill, placard, or notice to or upon any wall or fence in or enclosing the open space, or to or upon any tree, or other plant, or to or upon any part of any building, barrier, or railing, or of any fixed or movable seat, or of any other structure or erection in the open space.
12. A person, other than an officer of the Council, or a person or a servant of a person employed by the Council in or about any work in connexion with the laying out, planting, improvement, or maintenance of the open space, shall not at any time, remove or disturb any part of the soil of any flower bed, or any other soil in any part of the open space.
13. A person, other than an officer of the Council, or a person or a servant of a person employed by the Council in or about any work in connexion with the laying out, planting, improvement, or maintenance of the open space, shall not at any time, in any part of the open space, walk or run over, or stand, sit, or lie upon any part of any flower bed or any shrub, underwood, gorse, or other plant, or any ground in course of preparation or cultivation as a flower bed, or for the reception or growth of any tree, sapling, shrub, underwood, gorse, or other plant.
14. A person, other than an officer of the Council, or a person or a servant of a person employed by the Council in or about any work in connexion with the laying out, planting, improvement, or maintenance of the open space, shall not at any time, in any part of the open space, cut or displace any turf, or uproot or displace any gorse or other plant.
15. A person shall not at any time, in any part of the open space, pluck any bud, blossom, flower, or leaf of any tree, sapling, shrub, underwood, gorse, or other plant.
16. A person shall not wilfully, carelessly, or negligently soil or defile any part of any wall or fence in or enclosing the open space, or any part of any building, barrier, or railing, or of any fixed or movable seat, or of any monument, work of art, ornament, or decoration, or of any other structure or erection in the open space, or wilfully, carelessly, or negligently throw or deposit any filth, rubbish, or refuse, or cause or suffer any filth, rubbish, or refuse to fall or to be thrown or deposited upon any part of the open space.

17. A person shall not wilfully, carelessly, or negligently, throw or discharge in the open space any stone or other missile to the damage or danger of any person.
18. A person shall not climb any wall or fence in or enclosing the open space, or any tree, or any barrier, railing, post, or other erection in the open space.
19. A person shall not bathe, wade, or wash in any lake, pond, stream, or other ornamental water in the open space, or wilfully, carelessly, or negligently foul or pollute any such water, or take, injure, or destroy, or attempt to take, injure, or destroy, or wilfully disturb any fish in any such water, or wilfully disturb or worry or illtreat any fowl in any such water, or elsewhere in the open space.
20. A person shall not, in any part of the open space, wilfully displace or disturb, injure, or destroy any bird's nest, or wilfully take, injure, or destroy any bird's egg.
21. A person shall not, in any part of the open space, take injure, or destroy any bird, or spread or use any net, or set or use any snare or other engine, instrument, or means for the taking, injury, or destruction of any bird.
22. A person shall not cause or suffer any dog belonging to him or in his charge to enter or remain in the open space, 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 beast, and from entering any ornamental water, and from injuring or destroying, worrying, or disturbing any fowl in the open space.
23. Every person resorting to the open space for the purpose of playing or taking part in any game of football, quoits, bowls, hockey, cricket, or any other game which, by reason of the rules or manner of playing, or for the prevention of damage, danger, or discomfort to any person in the open space may necessitate, at any time during the continuance of the game, the exclusive use by the player or players of any space in the open space, shall comply with the following regulations:-
  - (1) He shall, in making preparation for the playing of such game and in the manner of playing, use reasonable and proper care to prevent undue interference with the reasonable and proper use of any space by any other person engaged in making preparation for playing or in playing therein, or thereafter resorting to such space for the purpose of making preparation for playing or of playing therein:
  - (2) He shall not at any time in any part of a space which is already occupied by other players begin to play without the permission of such other players.
  - (3) Except in any case where the exclusive use of any space may have been granted by the Council for the playing of any match, of which the occasion and character shall be such as to render expedient an

extension of the time hereinafter specified, a player or company of players shall not, in making preparation for playing and in playing any game, use any part of such space for a longer time than two hours continuously, if at the expiration of that time any other player or company of players, for whose use no other part of the open space may be available, shall make known to such first mentioned player or company of players an intention to use, for the purpose of playing, such space as shall have been previously used by such player or company of players.

24. A person, other than an officer of the Council, or a person or a servant of a person employed by the Council in or about any work, in connexion with the laying out, planting, improvement, or maintenance of the open space, shall not, except as hereinafter provided, erect any post, rail, fence, pole, tent, booth stand, building, or other structure in any part of the open space.

Provided that the foregoing prohibition shall not apply in any case where, upon an application to the Council for permission to erect any post, rail, fence, pole, tent, booth, stand, building, or other structure in any part of the open space, upon such occasion and for such purpose as shall be specified in such application, the Council may grant, subject to compliance with such conditions as they may prescribe, permission to any person to erect such post, rail, fence, pole, tent, booth, stand, building, or other structure.

25. A person shall not, in any part of the open space, beat, shake, sweep, brush, or cleanse any carpet, drugget, rug, or mat, or any other fabric retaining dust or dirt.

26. A person shall not, in any part of the open space, hang, spread, or deposit any linen or other fabric for the purpose of drying or bleaching.

27. A person shall not deliver any public address in any part of the open space:

Provided that the foregoing prohibition shall not apply in any case where upon an application to the Council for permission to deliver any public address in the open space upon such occasion, or on such day and at such hour as shall be specified in such application, the Council may grant such permission, subject to compliance with such conditions as they may prescribe.

28. A person shall not play any musical instrument or sing in any part of the open space:

Provided that the foregoing prohibition shall not apply in any case where, upon an application to the Council for permission to play any musical instrument or to sing in the open space, upon such occasion, or on such days and at such hours as may be specified in such application, the Council may grant such permission, subject to compliance with such conditions as they may prescribe.

29. A person shall not, in any part of the open space, 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, such person may be duly authorised to sell or let to hire in the open space such commodity or article.
30. A person shall not, in any part of the open space, wilfully obstruct, disturb, interrupt or annoy any other person in the proper use of the open space, 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 connexion with the laying out, planting, improvement, or maintenance of the open space.
31. A person shall not in the open space use any indecent or obscene language to the annoyance of any person.
32. Every person who shall offend against any of the foregoing byelaws shall be liable for every such offence to a penalty of five pounds;

Provided, nevertheless, that the court of summary jurisdiction before whom any proceedings may be taken in respect of any such offence may, if the Court think fit, adjudge the payment of any sum less than the full amount of the penalty imposed by this byelaw.

33. Every person who shall infringe any byelaw for the regulation of the open space 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,  
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  - (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 open space of the person infringing the byelaw may result in another infraction of a byelaw, or that the removal of such person from the open space is otherwise necessary as a security for the proper use and regulation thereof.

Sealed with the Common Seal of the Urban )  
District Council of Warblington, at a Meeting )  
thereof held this 14<sup>th</sup> day of October, 1919, )  
in the presence of )

C. J. JONES,  
Chairman

J. W. LOADER COOPER  
Clerk

Allowed by the Minister of Health this  
Twenty-third day of December, 1919

F. L. TURNER  
Assistant Secretary  
Ministry of Health