

FENLAND DISTRICT COUNCIL

BYELAWS

made under

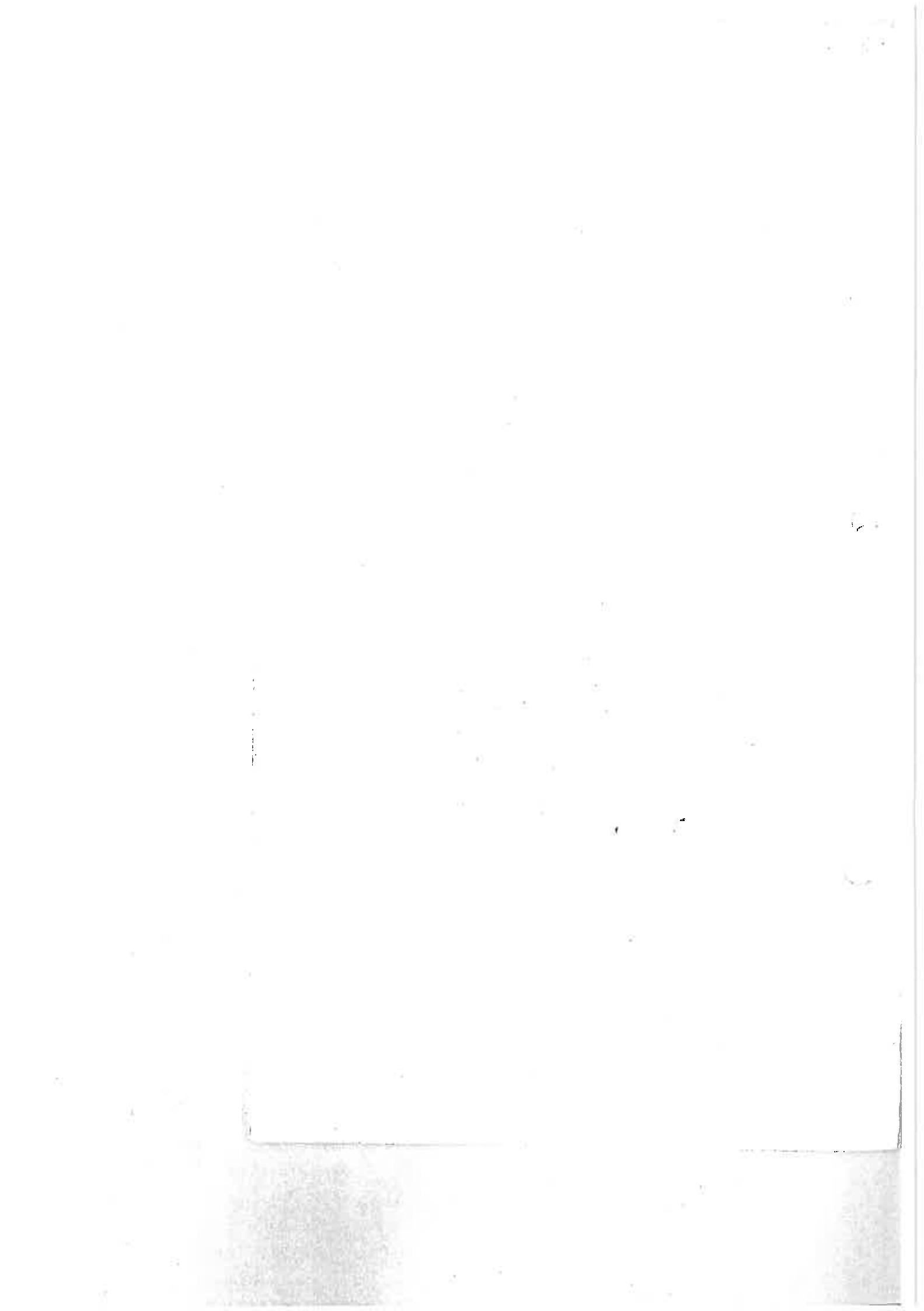
Section 164 of the Public Health Act, 1875 and
Sections 12 and 15 of the Open Spaces Act, 1906

by the

FENLAND DISTRICT COUNCIL

with respect to

PLEASURE GROUNDS



BYELAWS

made under Section 164 of the Public Health Act 1875 and Sections 12 and 15 Open Spaces Act 1906 by Fenland District Council with respect to the pleasure grounds set out in the second schedule hereto.

1. Throughout these byelaws the expression "the Council" means the Fenland District Council and the expression "the pleasure ground" means each of the pleasure grounds and open spaces set out in the second 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.

A person shall not in the pleasure ground

- (a) climb any wall or fence in or enclosing the pleasure ground, or any tree, or any barrier, railing, post or other erection;
 - (b) 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 pleasure ground, or any turf.
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. (1) Any 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 wheel-chair or perambulator drawn or propelled by hand and used solely for the conveyance of a child or children or an invalid;
 - (c) a mechanically or electrically propelled invalid carriage.

Provided that, where the Council sets apart a space in the pleasure ground for a specified 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.

- (2) 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 except at the West End Park, March where by common use a right to do so has become established along defined routes.

repeals
Sec 34

6. A person who brings a vehicle into the pleasure ground shall not wheel or station it over or upon
 - (a) 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;
 - (b) 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, prohibits its being wheeled or stationed.
7. A person shall not affix any bill, placard or notice to or upon any wall or fence in or enclosing the pleasure ground, or to or upon any tree or plant, or to or upon any part of the building, barrier or railing, or of any seat, or of any other erection or ornament in the pleasure ground.
8. A person shall not in the pleasure ground walk, run, stand, sit or lie upon
 - (a) any grass, turf or other place where adequate notice to keep such grass, turf or other place is exhibited;
Provided that such notice shall not apply to more than one fifth of the area of the pleasure ground;
 - (b) 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.
9. A person shall not in the pleasure ground
 - (a) bathe, wade or wash in any ornamental lake, pond, stream or other water;
 - (b) intentionally, recklessly or negligently foul or pollute any such water.
10. 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.
11. Where the Council sets 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 a 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.
12. 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
 - (a) not play on the space any game other than the game for which it is set apart;

- (b) 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;
 - (c) when the space is already occupied by other players, not begin to play thereon without their permission;
 - (d) 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;
 - (e) 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.
13. 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.
14. A person shall not in the pleasure ground
- (a) 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 it grants permission to erect any post, rail, fence, pole, tent, booth, stand, building or other structure upon such occasion and for such purposes as are specified in the application;
 - (b) 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.
15. A person shall not in the pleasure ground intentionally obstruct, disturb, or annoy any other person in the proper use of the pleasure 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 or maintenance of the pleasure ground.
16. A person shall not except in the exercise of any lawful right or privilege, ride any horse in the recreation grounds provided that this byelaw shall not prohibit horse-riding along a strip of land being 3½ metres in width on either side of a line drawn from the centre of The Chase across the West End Recreation Ground to the centre of Marylebone Road, March running in a generally northerly direction for a distance of approximately 103 metres.
17. A person shall not in respect of those pleasure grounds set out in the third schedule hereto use any device designed or adapted for detecting or locating any metal or mineral in the ground.

18. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding one hundred pounds.
19. 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
- (a) 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;
- (b) 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

20. The byelaws set out in the first schedule hereto are hereby repealed.

FIRST SCHEDULE

The byelaws made under Section 15 of the Open Spaces Act, 1906, by the Chatteris Urban District Council on 3rd July, 1923, and confirmed by the Minister of Health on 25th August, 1923.

The byelaws made under Section 15 of the Open Spaces Act, 1906, by the Mayor, Aldermen and Burgesses of the Borough of Wisbech on 28th July, 1960, and confirmed by the Secretary of State on 13th September, 1960 as amended by a byelaw made on 12th April 1966 and confirmed on 25th May, 1966.

The byelaws made under Section 164 of the Public Health Act, 1875, and Section 15 of the Open Spaces Act, 1906, by the Mayor, Aldermen and Burgesses of the Borough of Wisbech on 5th October, 1953, and confirmed by the Secretary of State on 5th December, 1953, insofar as they relate to The Park.

The byelaws made under Section 15 of the Open Spaces Act, 1906, with respect to the recreation ground at Gaul Road and under Sections 12 and 15 of the Open Spaces Act, 1906, with respect to the recreation grounds at The Avenue, Deerfield Road and Robingoodfellows Lane by the March Urban District Council on 18th December, 1962, and confirmed by the Secretary of State on 26th February, 1963.

The byelaws made under Section 164 of the Public Health Act, 1875, by the March Urban District Council on 8th May, 1972, and confirmed by the Secretary of State on 25th July, 1972.

The byelaws made under Sections 12 and 15 of the Open Spaces Act, 1906, by the Whittlesey Urban District Council on 2nd May, 1962, and confirmed by the Secretary of State on 18th June, 1962.

The byelaws made under Section 164 of the Public Health Act, 1875 and Sections 12 and 15 of the Open Spaces Act, 1906, by the Fenland District Council on 5th April, 1979, and confirmed by the Secretary of State on 18th September, 1979.

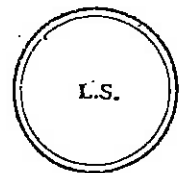
SECOND SCHEDULE

- Part I Grounds for which byelaws are made under Section 164 Public Health Act, 1875:
- Barton Road, Wisbech
 - The Park, Wisbech
 - Wenny Road, Chatteris
 - West End, March (including Acre Mill Site)
- Part II Grounds for which byelaws are made under Section 15 Open Spaces Act, 1906:
- Gaul Road, March
- Part III Grounds for which byelaws are made under Sections 12 and 15 Open Spaces Act, 1906:
- High Street, Benwick
 - Huntingdon Road, Chatteris
 - Deerfield Road/River Drive, March
 - Papworth Road, March
 - Peas Hill Road, March
 - Robingoodfellows Lane, March
 - Russell Avenue, March
 - The Avenue, March
 - Manor Ground, Whittlesey
 - Peterborough Road, Whittlesey
 - Station Road, Whittlesey
 - Burcroft Road, Wisbech
 - King's Walk, Wisbech
 - Walton Road, Wisbech
 - Waterlees Road, Wisbech

THIRD SCHEDULE

Grounds to which byelaw 17 of these byelaws apply:

- The Park, Wisbech
- Barton Road, Wisbech
- West End, March
- Gaul Road, March
- High Street, Benwick
- Robingoodfellows Lane, March
- The Avenue, March
- Manor Field, Whittlesey
- King's Walk, Wisbech
- Wenny Road, Chatteris
- St Peter's Gardens, Wisbech



The Common Seal of Fenland District Council was affixed hereto this 14th day of February 1985 in the presence of:

(Signed)
E S Thompson
Chief Executive and Clerk of the Council

The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into operation on twenty-ninth day of May, 1985.

Signed by authority of the
Secretary of State

M.E. HEAD
An Assistant Under Secretary of State

Home Office
London, S.W.1

10th May, 1985.

Cycle Prohibition

This repeats. Paragraph 5(2)
of (31)

314

Fenland District Council

BYELAWS

made under

Section 164 of the Public Health Act, 1875 and
Sections 12 and 15 of the Open Spaces Act, 1906

by the

FENLAND DISTRICT COUNCIL

with respect to

PLEASURE GROUNDS

BYELAWS

made under Section 164 of the Public Health Act 1875 and Sections 12 and 15 Open Spaces Act 1906 by Fenland District Council with respect to the pleasure grounds set out in the schedule hereto.

1. Throughout these byelaws the expression "the Council" means the Fenland District Council and the expression "the pleasure ground" means each of the pleasure grounds and open spaces set out 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 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 except at the West End Park, March where by common use a right to do so has become established along defined routes and along the footway leading from Marylebone Bridge to City Road Car Park.

REPEAL OF BYELAWS

4. Paragraph Number 5(2) of the byelaws relating to the pleasure grounds which were made by the Fenland District Council on the fourteenth day of February One thousand nine hundred and eighty five and were confirmed by the Secretary of State on the Tenth day of May One thousand nine hundred and eighty five is hereby repealed.

SCHEDULE

Part I Grounds for which byelaws are made under Section 164 Public Health Act 1875:

Barton Road, Wisbech
The Park, Wisbech
Wenny Road, Chatteris
West End, March (including Acre Mill site)

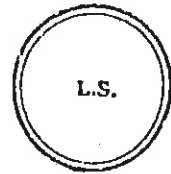
Part II Grounds for which byelaws are made under Section 15 Open Spaces Act, 1906:

Gaul Road, March

Part III Grounds for which byelaws are¹ made under Sections 12 and 15 Open Spaces Act, 1906:

High Street, Benwick
Huntingdon Road, Chatteris
Deerfield Road/River Drive, March
Papworth Road, March
Peas Hill Road, March
Robingoodfellows Lane, March
Russell Avenue, March
The Avenue, March
Manor Ground, Whittlesey
Peterborough Road, Whittlesey
Station Road, Whittlesey
Burcroft Road, Wisbech
King's Walk, Wisbech
Walton Road, Wisbech
Waterlees Road, Wisbech

The Common Seal of Fenland District Council was hereto affixed this 11th day of April, 1986



(Signed) E. S. THOMPSON

Chief Executive

The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into operation on the 2nd day of July, 1986.

Signed by authority of the
Secretary of State
Home Office, London, S.W.1
17th June, 1986.

(Signed) M. E. HEAD
An Assistant Under Secretary of State



MELBOURNE AVENUE DEPOT

REC'D 30 MAR 2001

PASS TO:	
COPY TO:	
REPLY BY:	