



BYELAWS

MADE BY

FAREHAM BOROUGH COUNCIL

WITH RESPECT TO

PLEASURE GROUNDS
OPEN SPACES AND
RECREATION GROUNDS

IN THE

BOROUGH OF FAREHAM

BYELAWS

made by **Fareham Borough Council** under Section 164 of the Public Health Act, 1875 with respect to the Pleasure Grounds listed in the First Schedule hereto and made under Sections 12 and 15 of the Open Spaces Act, 1906 with respect to the Pleasure Grounds listed in the Second Schedule hereto

1. Throughout these byelaws the expression "the Council" means the Fareham Borough Council, and the expression "the pleasure ground" means except where inconsistent with the context, each of the pleasure grounds listed in the First and Second schedules 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) wilfully, carelessly, or negligently soil or defile any wall or fence in or enclosing the pleasure ground, or any building, barrier, railing, post or seat, or any erection or ornament ;
- (ii) climb any wall or fence in or enclosing the pleasure ground, or any tree, or any barrier, railing, post, or other erection ;
- (iii) 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, except in pursuance of any 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. (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 wheel-chair or perambulator 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 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 any 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

- (i) any grass, turf, or other place where adequate notice to keep off such grass, turf, or other place is exhibited ;

Provided that such notice shall not apply to more than one sixth of the area of the pleasure ground ;

- (ii) 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

- (i) bathe, wade or wash in any ornamental lake, pond, stream, or other water ;
- (ii) wilfully, carelessly, 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 water-fowl, and from entering any ornamental water.

11. 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.

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

- (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.

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

- (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 on 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) hang, spread, or deposit any linen or other fabric for drying or bleaching ;
- (iii) sell, or offer or expose for sale, or let to hire, or offer to 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 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.

16. A person shall not in the pleasure ground drive, pitch or chip a solid golf ball.

This byelaw shall not be deemed to prohibit such driving, pitching or chipping of a solid golf ball in any part of the pleasure ground which has by notice fixed in a conspicuous position been set apart by the Council as a place where the driving, pitching or chipping of a solid golf ball is permitted.

17. A person shall not except in the exercise of any lawful right or privilege ride or lead any horse in the pleasure ground.

18. (i) A person shall not fly any power-driven model aircraft in the pleasure ground except in any part of the pleasure ground which has by notice affixed in a conspicuous position been set apart by the Council for the flying of such model aircraft

(ii) A person shall not in any part of the pleasure ground so set apart fly any such model aircraft unless it is attached to a control line and kept under effective control.

In this byelaw the expression "power-driven model aircraft" means any model aircraft driven by the combustion of petrol-vapour or other combustible substances.

19. A person who has attained the age of 15 years shall not use any apparatus on the pleasure ground which by a notice affixed or set up on or near thereto has been set apart by the Council for the exclusive use of persons under the age of 15 years.

20. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding Twenty Pounds.

21. 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 removal of such person from the pleasure ground is otherwise necessary as a security for the proper use and regulation thereof.

22. The byelaws relating to the pleasure grounds known as Bath Lane and Park Lane Recreation Grounds which were made by the Council on the Second day of February, 1932 and were allowed by the Minister of Health on the Fifteenth day of February, 1932 are hereby repealed.

THE FIRST SCHEDULE above referred to

Bath Lane Recreation Ground, Fareham
Castle Recreation Ground, Castle Street, Portchester (Part)
Park Lane Recreation Ground, Park Lane, Fareham
Salterns Recreation Ground, Eastern Parade, Fareham (Part)
Wicor Recreation Ground, Cranleigh Road, Fareham

THE SECOND SCHEDULE above referred to

Abshot Road Playground, Abshot Road, Locks Heath
 Addison Road Playground, Addison Road, Sarisbury
 Allotment Road Recreation Ground, Allotment Road, Sarisbury
 Alton Grove Open Space, Alton Grove, Portchester
 Barry's Meadow, Southampton Hill, Titchfield
 Beachway Open Space, The Beachway, Portchester
 Bellfield Playground, Lower Bellfield, Titchfield
 Birchen Road Playground, Birchen Road, Locks Heath
 Blackbrook Road Recreation Ground, Blackbrook Road, Fareham
 Burridge Recreation Ground, Botley Road, Burridge
 Cams Alders Recreation Ground, Highfield Avenue, Fareham
 Castle Recreation Ground, Castle Street, Portchester (Part)
 Coppins Grove Open Space, Coppins Grove, Portchester
 Crofton Playground, Stubbington Lane, Stubbington
 Fareham Park Recreation Ground, Hillson Drive, Fareham
 Funtley Recreation Ground, Funtley Road, Fareham
 Hammond Road Playground, Hammond Road, Fareham
 Harbour View Open Space, Harbour View, Portchester
 Hill Head Cliff, Cliff Road, Hill Head
 Hove to, Cliff Road, Hill Head
 Kenwood Road Open Space, Kenwood Road, Portchester
 King Georges Field, Warsash Road, Locks Heath
 Locks Heath Recreation Ground, Warsash Road, Locks Heath
 Malvern Avenue Playground, Helsby Close, Fareham
 Mancroft Avenue Open Space, Mancroft Avenue, Stubbington
 Newtown Recreation Ground, Newtown, Portchester
 Portchester Recreation Ground, West Street, Portchester
 Portchester Castle Open Space
 Roman Grove Playground, Roman Grove, Portchester
 Salterns Park, Salterns Road, Hill Head
 Salterns Recreation Ground, Eastern Parade, Fareham (Part)
 Sarisbury Green, Sarisbury
 Stroud Green Recreation Ground, Stroud Green Lane, Stubbington
 Stubbington House Recreation Ground, Stubbington
 Swanwick Lane Recreation Ground, Swanwick Lane, Lower Swanwick
 Titchfield Recreation Ground, Mill Road, Titchfield
 Warsash Recreation Ground, Osborne Road, Warsash

THE COMMON SEAL of FAREHAM
BOROUGH COUNCIL was hereunto
affixed on the 28th day of May, 1975 in
the presence of :—

J. J. BURRELL
Borough Secretary.



The Secretary of State this day confirmed
the foregoing byelaws and fixed the date
on which they are to come into operation
as the first day of September, 1975.

K. P. WITNEY
An Assistant Under Secretary of State.



Home Office,
WHITEHALL.

5th August, 1975.