

B Y E L A W S

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

Castle Point Borough Council

With respect to

PLEASURE GROUNDS

1. Throughout these byelaws the expression 'the Council' means the Castle Point Borough Council and the expression 'the pleasure ground' means each of the grounds named in the Schedule attached 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 bring or cause to be brought into the pleasure ground any cattle, sheep, goats or pigs, horse or any other 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 so to do.
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 drawn or propelled by hand 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, 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 station.
- 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, or railing, or 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-fifth 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;
 - (iii) take, injure, or destroy, or attempt to take, injure, or destroy any fish in any such water, or wilfully disturb or worry any water fowl.
- 10.
 - (i) 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
 - (ii) Where the Council in any part of the pleasure ground where there is formal bedding area or other ornamental feature which requires special protection indicate by notice conspicuously exhibited in that part that dogs must be controlled by leash therein, a dog shall not be deemed to be under proper control in that part unless it is controlled by a leash.
- 11. Where the Council may 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 payers not begin to play 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 where 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 such purpose as are specified in the application;

- (ii) beat, shake sweep, brush, or cleanse any carpet, rug, or mat, or any other fabric retaining dust or dirt;
 - (iii) hang, spread, or deposit any linen or other fabric for drying or bleaching;

- (iv) 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 wilfully obstruct, disturb, or interrupt any officer of the Council in the proper execution of his duty, or any person or any 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.
 - 17. A person who has attained the age of fourteen years shall not use any apparatus in the pleasure ground which by 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 fourteen years.
 - 18. Every person who shall offend against any of these byelaws shall be liable on summary conviction to fine not exceeding fifty pounds.
 - 19. Every person who shall infringe any byelaw for the regulation of the pleasure 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 an 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

- 20. The byelaws relating to pleasure grounds which were made by the Urban District Council of Benfleet on the thirtieth day of December One thousand nine hundred and sixtyeight and were confirmed by the Secretary of State on the Thirtyfirst day of March One thousand nine hundred and sixtynine as amended by the byelaw made by the Urban District Council of Benfleet on the Eighteenth day of December One thousand nine hundred and seventy two and confirmed by the Secretary of State on Twentyeighth day of March One thousand nine hundred and seventy three are hereby repealed.

SCHEDULE

Part 1:

Grounds covered by Section 164 of the Public Health Act, 1875

Creekside
John H Burrows Recreation Ground
King George V Playing Field, Benfleet
Labworth Park
Leigh Beck Recreation Ground
Little Common
North Avenue Recreation Ground
Runnymede Paddocks
Shipwright Wood and Recreation Ground
South Benfleet Playing Field
Swans Green Recreation Ground
Tarpots Recreation Ground
Tewkes Creek Recreation Ground
The Crescent Recreation Ground
The Downs
The Lake, Canvey Island
The Memorial Recreation Ground
The Paddocks, Canvey Island
Thundersley Common Recreation Ground
Thundersley Glen
Villa Green
Woodside Park

Part 2:

Grounds covered by Section 12 and 15 of the Open Spaces Act 1906

Beveland Road Recreation Ground
Gun Site, Canvey Island
King George V Playing Fields, Canvey Island
Kismet Park
Larup Avenue Playground
Long Road Recreation Ground
Newlands Recreation Ground
North Avenue Recreation Ground
Small Gains Recreation Ground
Southwick Dyke Open Space
Thames Road Recreation Area
Waterside Farm
Woodside Park Extension