

PLEASURE GROUNDS BYELAWS

41A

as amended by 41C, 41D and 41E

(Town Crest)

BOROUGH OF WORTHING

BYELAWS

**MADE UNDER SECTION 164 OF THE PUBLIC HEALTH ACT 1875,
BY THE BOROUGH COUNCIL OF WORTHING
WITH RESPECT TO PLEASURE GROUNDS**

BOROUGH OF WORTHING

BYELAWS

made under Section 164 of the Public Health Act, 1875 by the Borough Council of Worthing with respect to PLEASURE GROUNDS

1. Throughout these byelaws 'The Council' means the Borough Council of Worthing, 'the pleasure ground' means, except where inconsistent with the context, each of the pleasure grounds specified in the Schedule to these byelaws.

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 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. (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;

5(ii) Cycling

No person shall without reasonable excuse ride a cycle in the ground except in any part of the ground where there is a right of way for cycles or on a designated route for cycling.

Note: *Amended under Byelaw 41E.*

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 any bowling green, tennis court or golf putting green;
 - (iii) any part of any ornamental garden in the pleasure ground, other than a paved area, path or road;
 - (iv) 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 skate on rollers, skate-boards, wheels or other mechanical contrivances to the danger of any person using the pleasure ground.
8. 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.
9. 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;
 - (iii) any part of any bowling green, tennis court or golf putting green, except for the purpose of taking part in the game for which such green or court is provided;

(iv) any part of any ornamental garden in the pleasure ground, other than a paved area, path or road.

10. 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.

11. *Revoked by the relevant parts of The Dogs Exclusion (Borough Council of Worthing) Order 2012, The Dogs on Leads (Borough Council of Worthing) Order 2012, The Dogs on Lead by Direction (Borough Council of Worthing) Order 2012 which came into effect on the 23 January 2012.*

11A. *Inserted by 41B, Amended by 41D; then revoked by 53A.*

12. 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.

13. 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 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.
14. 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.
15. (i) A person shall not in the pleasure ground play cricket, hockey, football or any other ball game to the danger, discomfort or annoyance of any other person using the pleasure ground;
- (ii) No person shall use a hard ball for the playing of any game in the pleasure grounds known as Steyne Gardens, Dominion Road Open Space, Lyons Farm Open Space and West Parade Open Space.
16. A person shall not in the pleasure ground drive, pitch or chip a solid golf ball provided that this byelaw shall not apply to any part of the pleasure ground which has been set apart by the Council for use as a pitching and/or putting green and is so described in a notice board affixed or set up in some conspicuous position in the pleasure ground.
17. A person shall not, except in the exercise of any lawful right or privilege, ride any horse on the pleasure grounds known as Alinora Open Space, Marine Drive Open Space and The Plantation.
18. 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.
19. 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.

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

22. The byelaws relating to the pleasure grounds which were made by the Mayor, Alderman and Burgesses of the Borough of Worthing on the 16th day of September, 1955, the 27th day of October, 1961, the 7th day of May, 1962, the 22nd day of August, 1968, and the 12th day of July, 1974, and were confirmed by the Secretary of State on the 7th day of November, 1955, the 23rd day of January, 1962, the 23rd day of July, 1962, the 31st day of October, 1968, and the 25th day of January 1975, respectively, are hereby repealed.

ie WBC Byelaws, 25, 26, 27, 36 and 39.

SCHEDULE

Pleasure Grounds to which these Byelaws apply

Alinora Open Space
Beach House Park
Brooklands Pleasure Park
Chiltern Crescent Open Space
Church House Gardens
Charmandean Open Space
Denton Gardens
Dominion Road Open Space
Durrington Recreational Ground
Fernhurst Drive Open Space

Field Place Grounds
 Goring Recreation Ground
 Highdown Gardens
 Hillbarn Recreation Ground
 Homefield Park
 Honeysuckle Lane Open Space
 Lyon's Farm Open Space
 Manor Sports Ground (*inserted by Byelaw 41C*)
 Marine Drive Open Space (situate partly within the Borough of Worthing, and partly within the parish of Ferring in the district of Arun) and The Plantation
 Marine Gardens
 Palatine Park
 Pond Lane Recreation Ground
 Rotary Recreation Ground
 Steyne Gardens
 Tarring Recreation Ground
 The Gallops
 Twyford Gardens Open Space
 Victoria Recreation Ground
 West Parade Open Space
 West Park Recreation Ground

GIVEN under the Common Seal of the Borough Council) of Worthing this 21st day of July, 1978 in the presence of) of:-

L.S.
 Lewis Elliott
 Borough Secretary

The foregoing byelaws are hereby confirmed by the)
 Secretary of State and shall come into operation on)
 the first day of November 1978)

SEAL
 (R F D SHUFFREY)
 An Assistant Under
 Secretary of State

Signed by authority of the Secretary of State

Home Office,
 LONDON SW1
 17th October 1978.

This printed copy of the byelaws is a true copy of the byelaws referred to above as confirmed by the Secretary of State.

Lewis Elliott
Borough Secretary

Notes:

Pleasure Grounds 41C (amends 41A)

Sealed by Worthing Borough Council

16 August 1984

Came into effect

29 November 1984

Pleasure Grounds 41D (amends 41A)

Sealed by Worthing Borough Council

8 February 1985

Came into effect

17 April 1985

Pleasure Grounds 41E (amends 41A)

Sealed by Worthing Borough Council

25 October 2004

Came into effect

11 February 2005