

BOROUGH OF HYTHE

Hythe Improvement and Waterworks Act 1874

BYELAWS

made by the

MAYOR, ALDERMEN and BURGESSES

of the

BOROUGH OF HYTHE

Acting by the Council

With respect to

PUBLIC WALKS AND PLEASURE GROUNDS

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Known as Oaklands, Ladies' Walk, The Grove, Lucy's Avenue, The Walk from the Ladies' Walk to Twiss Road, The Recreation Ground, The Green and the Canal and land adjoining and belonging thereto

1. Throughout these byelaws the expression "the Council" means the Mayor, Aldermen and Burgesses of the Borough of Hythe acting by the Council, and the expression "the pleasure ground" means the pleasure grounds known as "Oaklands", "Ladies Walk", "The Grove", Lucy's Avenue", the Walk from the "Ladies Walk" to "Twiss Road", the "Recreation Grounds", "The Green" and the Canal and land adjoining and belonging thereto.

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 or improperly remove or displace any board, plate, or tablet, or any support, fastening or fitting of any board, plate or tablet used for exhibiting any notice;

(ii) carelessly or negligently deface, injure, or destroy any wall or fence in or enclosing the pleasure ground, or any building, barrier, railing, post, or seat, or any erection or ornament;

(iii) 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;

(iv) climb any wall or fence in or enclosing the pleasure ground, or any tree or any barrier, railing, post or other erection;

(v) 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, or any 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 to do so for pasturage or other lawful purpose.

5. A person shall not bring or cause to be brought into the pleasure ground any barrow, truck, machine or vehicle, unless used 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 bicycles, tricycles, or other machines, this byelaw shall not be deemed to prohibit the driving or wheeling in or to that space of a machine of the class for which it is set apart.

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 or 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 shall be placed;

Provided that such notice shall not apply to more than one fourth 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) remove, cut or displace any soil, turf or plant;

(ii) pluck any bud, blossom, flower, or leaf of any tree, shrub, or plant.

10. A person shall not wilfully, carelessly, or negligently throw or discharge in the pleasure ground any missile to the damage or danger of any person.

11. A person shall not in the pleasure ground

(i) bathe, wade, or wash in any lake, pond, stream, or other ornamental water;

(ii) wilfully, carelessly, or negligently foul or pollute any such water;

(iii) 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;

(iv) wilfully displace or disturb, injure, or destroy any bird's nest, or wilfully take, injure, or destroy any bird's egg;

(v) take, injure, or destroy any bird, or spread or use any net, or use any snare or other engine, instrument, or means, for the taking, injury or destruction of any bird.

12. 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 beast, and from entering any ornamental water, and from injuring or destroying, worrying, or disturbing any fowl in the pleasure ground.

13. 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 purposes 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 space.

14. Every 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 of players' make known to him and wish to use the space.

15. 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.

16. 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) beat, shake, sweep, brush or cleanse any carpet, drugget, 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 any 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.

17. 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 this 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 or maintenance of the pleasure ground.

18. Every person who shall offend against any other these byelaws shall be liable for every such offence to a fine not exceeding the sum of **two pounds**.

19. The foregoing byelaws shall not be deemed to apply in any case where an offence in committed again section 58 of the Hythe Improvement and Waterworks Act 1874.

Repeal of Byelaws

20. The byelaws with respect to the public pleasure grounds, for the time being belonging to the Corporation, which were made by the Mayor Aldermen and Burgesses of the Borough of Hythe, acting by the Council as the Urban Sanitary Authority, on the eighteenth day of April 1883, and were confirmed by the Local Government Board on the twenty-eighth day of May, 1883, are hereby repealed.

The Common Seal of the Mayor,
Aldermen and Burgesses of the
Borough of Hythe was hereunto
affixed this 11th day of June, 1936,
in the presence of

CG MOLYNEUX
Mayor

HERBERT STAINER
Town Clerk

The foregoing byelaws are hereby
confirmed by the Minister of Health
this twenty-first day of October, 1936,
and shall come into operation on the
first day of December, 1936

J N BECKETT
Assistant Secretary
Ministry of Health