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CITY OF SOUTHAMPTON

B Y E L A W S

MADE BY

THE SOUTHAMPTON CITY COUNCIL

WITH RESPECT TO

THE PLEASURE GROUND

KNOWN AS WESTON COMMON

Sealed by the Council 3rd October, 1975.

Confirmed by the Home Office 10th February, 1976.

Date of operation 1st March, 1976.

M. REYNOLDS

City Secretary and Solicitor

PRICE - 20p

CITY OF SOUTHAMPTON

B Y E L A W S

made under Section 15 of the Open Spaces Act, 1906, by Southampton City Council with respect to the PLEASURE GROUND known as Weston Common Amenity Area Sholing Southampton.

1. Throughout these byelaws the expression "the Council" means the Southampton City Council, and the expression "the pleasure ground" means Weston Common Amenity Area Sholing Southampton.
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, 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.
5. A person shall not, except in the exercise of any lawful right or privilege, ride, lead or exercise a horse in the pleasure ground, except in a part of the pleasure ground which the Council has by notice conspicuously exhibited set apart for those purposes.
6. (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;

- (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:
7. 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.
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 artificially constructed;
- Provided that this byelaw shall not be deemed to prohibit the wading either by a person in any water which, by a notice set up near thereto, shall be set apart by the Council as a model boat lake, or by a person under the age of fourteen years in any water which, by a notice set up near thereto, shall be set apart by the Council as a paddling pool for children;
- (ii) wilfully, carelessly or negligently foul or pollute any 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 a 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 lake, pond, stream or other water artificially constructed.
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 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 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 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 to 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 who has attained the age of thirteen 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 thirteen years.
17.
 - (i) A person shall not fly any tethered or untethered power driven model aircraft in the pleasure ground except in any part which has, by notice conspicuously exhibited in the pleasure ground, been set apart by the Council for the flying of tethered or untethered model aircraft respectively.
 - (ii) A person shall not, in the pleasure ground, fly any jet propelled or rocket propelled model aircraft unless it is tethered.
 - (iii) In this byelaw the expression "power driven model aircraft" means any model aircraft driven by the combustion of petrol vapour or other combustible substances and the expression "tethered" requires a model aircraft to be attached to a control line and kept under effective control.
18. 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 area specially constructed or by notice set apart for the playing (or practising) of golf.
19. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding twenty pounds.
20. 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.

THE COMMON SEAL OF SOUTHAMPTON)
CITY COUNCIL was hereunto)
affixed by Order of the Council) L.S.
on the Third day of October One)
Thousand Nine Hundred and Seventy)
Five in the presence of:-)

Elinor Pugh

Mayor

M. Reynolds

City Secretary and Solicitor

The foregoing byelaws are hereby)
confirmed by the Secretary of)
State and shall come into) L.S.
operation on the First day of)
March 1976.)

Signed by authority of the
Secretary of State

K.P. WITNEY

An Assistant Under Secretary
of State

Home Office
WHITEHALL
10th February 1976.

CERTIFICATE FOR THE PURPOSE OF SECTION 238
OF THE LOCAL GOVERNMENT ACT, 1972

I, City Secretary and Solicitor of the City of Southampton hereby certify that the within-written byelaws were made by the Southampton City Council; that it is a true copy of the said byelaws; that the said byelaws were made by the said Council on 3rd October, 1975, and confirmed by the Secretary of State on 10th February, 1976; and that the date fixed by him for the coming into operation of the said byelaws was 1st March, 1976.

City Secretary and Solicitor