

CLEETHORPES BOROUGH COUNCIL
BYELAWS
regarding
Pleasure Grounds, Public Walks and Open Spaces

CLEETHORPES BOROUGH COUNCIL

BYELAWS

PLEASURE GROUNDS, PUBLIC WALKS AND OPEN SPACES

Byelaws made by the Council of the Borough of Cleethorpes under Section 164 of the Public Health Act 1875 and Section 15 of the Open Spaces Act 1906 with regard to the Pleasure Grounds, Public Walks and Open Spaces listed in the Schedule hereto.

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| INTERPRETATION | 1. In these bylaws:
“the Council” means the Cleethorpes Borough Council
“the pleasure ground” means the pleasure grounds, public walks and open spaces listed in the Schedule hereto. |
| ACTS OF COUNCIL OFFICERS | 2. An act necessary to the proper execution of his duty in the pleasure ground by an officer of the Council, or any act which is necessary to the proper execution of any contract with the Council, shall not be an offence under these byelaws. |
| OPENING AND CLOSING HOURS | 3. The pleasure grounds known as Sidney Park, Sussex Recreation Ground and Haverstoe Park shall be opened at the hour of 7.30 am and shall be closed at the hour of 4.30 pm every day during the months of November, December and January and shall be open at the hour of 7.30 am and shall be closed one half hour after sunset during the months of February to October (inclusive) PROVIDED THAT at weekends and on Bank Holidays the opening times referred to above shall be 9.00 am. PROVIDED ALWAYS that this byelaw shall not be deemed to require any of the pleasure grounds referred to in this byelaw to be opened and closed at the hours hereinbefore prescribed on any day when, in pursuance of any statutory provision in that behalf, the Council close the pleasure grounds to the public. |
| ENTRY | 4. On any day on which the pleasure grounds mentioned in byelaw 3 are open to the public a person shall not enter them before the time or enter or remain in them after the time appointed in the foregoing byelaw. |

- DAMAGE
5. A person shall not in the pleasure ground without reasonable excuse:
- (i) climb any wall or fence in or enclosing the pleasure ground, or any tree, or any barrier, railing, post, or other erection;
 - (ii) 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.
- CATTLE, SHEEP
6. 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.
- BICYCLES ETC.
7. (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 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 or other similar machine in any part of the pleasure ground.
- PARKING VEHICLES ON FLOWER BEDS ETC.
8. 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.

NOISE IN
PLEASURE GROUNDS

9. (i) No person shall, after being requested to desist by any constable, or by any person annoyed or disturbed, or by any person acting on his behalf:
- (a) by shouting or singing; or
 - (b) by playing on a musical instrument;
- or:
- (c) by operating or permitting to be operated any radio, gramophone, amplifier, tape recorder or similar instrument;
- cause or permit to be made any noise which is so loud or so continuous or repeated as to give reasonable cause for annoyance to the other persons in the pleasure ground.
- (ii) Provided that this byelaw shall not apply to properly conducted religious services.
- (iii) Provided that this byelaw shall not apply to any person holding or taking part in any entertainment held in pursuance of a lawful agreement with the Council.

PROTECTION OF
GRASS ETC.

10. 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.

PROTECTION OF SOIL
ETC.

11. a person shall not remove or displace any soil or plant.

FISHING

12. A person shall not without lawful excuse or authority in the pleasure ground kill, molest or intentionally disturb any animal or fish or engage in hunting, shooting or fishing or the setting of traps or nets or the laying of snares. This byelaw shall not prohibit any fishing which may be authorised by the Council.

BOATS ETC.

13. A person shall not in the pleasure ground place on any ornamental lake or pond any boat other than a model yacht or toy boat except in pursuance of an agreement with the Council.

- BATHING, ETC.
14. A person shall not in the pleasure ground
- (i) bathe, wade or wash in any ornamental lake, pond, stream, or other water;
 - (ii) without reasonable excuse foul or pollute any such water.
- SPORT –
MANNER OF PLAY
15. 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.
- SPORT –
EXCLUSIVE USE
OF PITCHES
16. 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.

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| AGE LIMIT ON CHILDREN'S PLAY EQUIPMENT | 17. A person who has attained the age of 14 years shall not use any apparatus in the pleasure ground which, by a notice affixed on or near thereto, has been set apart for the exclusive use of persons under the age of 14 years. |
| UNFIT GROUNDS | 18. 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. |
| ERECTION OF STRUCTURES SELLING AND HIRING | <p>19. A person shall not in the pleasure ground</p> <p>(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;</p> <p>(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.</p> |
| SKATING ON ICE | 20. A person shall not in the pleasure ground skate on ice except on any part or place set aside by the Council for that purpose and indicated by a notice board conspicuously displayed. |
| ROLLER SKATING | 21. A person shall not in the pleasure ground skate on rollers, skateboards, wheels or other mechanical contrivances in such a manner as to cause danger or nuisance or give reasonable grounds for annoyance to other persons using the pleasure ground. |
| USE OF HARD GOLF BALLS | 22. A person shall not in the pleasure ground drive, chip or pitch a hard golf ball except on land set aside by the Council for use as a golf course, golf driving range, golf practice area or putting course. |

- USE OF CRICKET BALLS
23. A person shall not use any cricket ball in any pleasure ground except in any part of the pleasure ground which by a notice affixed or set up is set aside as an area where a cricket ball may be used PROVIDED that this byelaw shall not apply to the pleasure grounds known as the King George V Playing Fields, Cleethorpes, and Mount Pleasant Playing Fields, Waltham.
- MODEL AIRCRAFT
24. (i) In this Byelaw unless the context otherwise requires:
“model aircraft” means an aircraft which either weighs not more than 5 kilogrammes without its fuel or is for the time being exempted(as a model aircraft) from the provisions of the Air Navigation Order; “Power-driven” means driven by the combustion of petrol vapour or other combustible vapour or other combustible substances.
“Radio-controlled” means controlled by a radio signal from a wireless transmitter or similar device.
- (ii) A person shall not :
- a) in the pleasure grounds known as the Mount Pleasant Playing Fields, Waltham, Habrough New Park, Immingham and Spring Street Playing Field, Immingham release any radio controlled or power-driven model aircraft for flight or control the flight of such an aircraft; or
- b) cause any such aircraft to take off or land in the said pleasure grounds.
- (iii) This byelaw shall not apply to any power-driven model aircraft taking part in an event organised by the Council or by any other person or body with the consent of the Council.
- HORSE RIDING
25. A person shall not except in the exercise of any lawful right or privilege ride a horse in the pleasure ground.
- METAL DETECTORS
26. A person shall not in the pleasure ground use any device designed or adapted for detecting or locating any metal or minerals in the pleasure ground.

- FIRE
27. A person shall not light a fire in the pleasure ground, or place or throw or let fall a lighted match or any other thing so as to be likely to cause a fire.
Provided that this byelaw shall not apply to any event held in pursuance of an agreement with the Council.
- OBSTRUCTION
28. A person shall not in the pleasure ground:
- (a) intentionally obstruct any officer of the Council in the proper execution of his duties;
 - (b) intentionally obstruct any person carrying out an act which is necessary to the proper execution of any contract with the Council;
 - or
 - (c) intentionally obstruct any other person in the proper use of the pleasure ground, or behave so as to give reasonable grounds for annoyance to other persons in the pleasure ground.
- PENALTY
29. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- REMOVAL OF OFFENDERS
30. Any person offending against any of these byelaws may be removed from the pleasure ground by any officer of the Council, or any constable.
- REPEALS
31. The byelaws relating to Kings Parade which were made by the Cleethorpes Urban District Council on the 26th day of April, 1917 and confirmed by the Secretary of State on the 27th June, 1917, the byelaws as to Cleethorpes Park which were made by the Cleethorpes – with – Thrunscoe Urban District Council on the 20th day of May 1903 and allowed by the Local Government Board on the 24th day of June 1903, the byelaws with respect to Sidney Park, Sussex Recreation Ground, Dolphin Gardens, Pier Gardens, King George V Recreation Ground, Thrunscoe Recreation Ground, Humberston Land and Marine Walk made by the Mayor Alderman and Burgesses of the Borough of Cleethorpes on the 20th day of November, 1963 and confirmed by the Secretary of State on the 27th day of February, 1964 and the byelaws with respect to the Humberston Playing Field at St. Christopher's Road, Humberston (now known as Jubilee Park) made by the Humberston Parish Council on 14th October 1974 and confirmed by the Secretary of State on the 1st day of March 1975 are hereby revoked.

SCHEDULE
LIST OF PLEASURE GROUNDS, PUBLIC WALKS
AND OPEN SPACES

I Areas to which section 164 of the public health act 1875 applies

CLEETHORPES

1. Cleethorpes Country Park
2. Dolphin Gardens
3. Haverstoe Park
4. Humberston Land and Marine Walk
5. King George V Playing Field
6. Kingsway Gardens
7. Kings Parade
8. Lovelane Corner
9. Penshurst Road
10. Pier Gardens
11. Sidney Park
12. Sussex Recreation Ground
13. Thrunscoe Recreation Ground
14. Belvoir Park

HABROUGH

1. Chapel Lane Playing Fields
2. Cravens Lane Playground

HEALING

1. Fords Avenue Recreation Ground
2. Poplar Road Playing Field

HUMBERSTON

1. Humberston Fitties Playing Fields
2. Jubilee Park

3. St. Anthony's Bank

4. South View

IMMINGHAM

1. Habrough New Park

2. Pilgrim Park

3. Spring Street Playing Field

4. Carver Road/Pilgrim Way Playground

5. Park Close Playground

LACEBY

1. Butt Lane Playing Field

2. Cooper Lane Playing Fields

WALTHAM

1. Mount Pleasant Playing Fields

II AREAS TO WHICH SECTION 15 OF THE OPEN SPACES ACT 1906 APPLIES

CLEETHORPES

Scrivelsby Court

LACEBY

The Green, Cemetery Crescent

The Common Seal of Cleethorpes Borough Council was hereunto affixed this 15th day of May 1991 in the presence of :-

A. A. ARCHER

P. DANIEL

Mayor

Chief Executive

The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into operation on the 12th day of August 1991

Signed by authority of the Secretary of State

M. E. HEAD

An Assistant Under-Secretary of State

30th July 1991

Home Office
LONDON, SW1