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County Borough of Barrow-in-Furness.

BYE-LAWS

MADE BY THE MAYOR, ALDERMEN, AND BURGESSES OF
THE BOROUGH OF BARROW-IN-FURNESS, ACTING
BY THE COUNCIL, WITH RESPECT TO THE
PLEASURE GROUNDS KNOWN AS BIGGAR BANK
AND THE PUBLIC PARK, SITUATE IN THE
BOROUGH OF BARROW-IN-FURNESS.

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County Borough of Barrow-in-Furness.

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MADE BY THE MAYOR, ALDERMEN, AND BURGESSES OF THE
BOROUGH OF BARROW-IN-FURNESS, ACTING BY THE
COUNCIL, WITH RESPECT TO THE PLEASURE GROUNDS
KNOWN AS BIGGAR BANK AND THE PUBLIC PARK,
SITUATE IN THE BOROUGH OF BARROW-IN-FURNESS.

Interpretation of Terms.

1.—Throughout these Bye-laws the expression “the Council” means the Mayor, Aldermen and Burgesses of the Borough of Barrow-in-Furness, acting by the Council, and the expression “the pleasure ground” means each of the pleasure grounds known respectively as Biggar Bank, situate in the Island of Walney, and the Public Park, situate near Abbey Road, in the said Borough.

Time of Opening and Closing.

2.—The pleasure ground shall be opened at the hour of eight o'clock in the forenoon, and shall be closed one hour after sunset in the afternoon of every day during the months of January, February, November, and December; and shall be opened at the hour of six in the forenoon, and shall be closed half-an-hour after sunset in the afternoon of every day during the remainder of the year.

Amended 1912

Provided always that this Bye-law shall not be deemed to require the pleasure ground to be opened and closed at the hours herein-before prescribed on any day when, in pursuance of any statutory provision in that behalf, the Council may close such pleasure ground to the public.

** The sub-headings do not form part
of the Bye-laws.*

3.—A person, other than an officer of the Council, or a person or a servant of a person employed by the Council in or about any work in connexion with the laying out, planting, improvement, or maintenance of the pleasure ground, shall not on any day on which the pleasure ground may be open to the public enter the pleasure ground before the time herein-before appointed for the opening thereof, or enter the pleasure ground or remain therein after the time herein-before appointed for the closing thereof.

Entrance Gates, &c.

4.—A person shall not enter or quit the pleasure ground otherwise than through some one of the gates, wickets, passages, or openings appointed by the Council as the authorized means of entrance to or egress from the pleasure ground.

Prohibition of Damage.

5.—A person shall not wilfully or improperly remove or displace any board, plate, or tablet, or any support, fastening, or fitting of any board, plate, or tablet used or constructed or adapted to be used for the exhibition of any Bye-law or notice, and fixed or set up by the Council in any part of the pleasure ground, or in or on any building or structure therein, or at or near to any one of the appointed means of entrance to or egress from the pleasure ground, or in or on any wall or fence enclosing the pleasure ground.

6.—A person shall not carelessly or negligently deface, injure, or destroy any part of any wall or fence in or enclosing the pleasure ground, or any tree, or any part of any building, barrier, or railing, or of any fixed or movable seat, or of any other structure or erection in the pleasure ground.

7.—A person shall not wilfully, carelessly, or negligently remove or displace any barrier, railing, or post, or any fixed or movable seat, or any part of any building, structure, or erection, or any monument, work of art, ornament, or decoration, or any implement, utensil, apparatus, appliance, or article provided for use or used or adapted to be used in the laying out, planting, improvement, or maintenance of the pleasure ground, or in the care, cultivation, or protection of any tree, sapling, shrub, underwood, gorse, or other plant in the pleasure ground.

Beasts of Burden.

8.—A person, other than an officer of the Council, or a person or a servant of a person employed by the Council in or about any work in connexion with the laying out, planting, improvement, or maintenance of the pleasure ground, shall not at any time ride, drive, or bring, or cause or suffer to be ridden, driven, or brought into any part of the pleasure ground any beast of draught or burden.

Provided that this Bye-law shall not apply to the carriageways of any roads passing through the pleasure ground.

Cattle, &c.

9.—A person shall not drive or bring, or cause to be driven or brought into the pleasure ground any bull, ox, cow, heifer, steer, calf, sheep, lamb, hog, pig, or sow, unless, in pursuance of an agreement with the Council, or otherwise in the exercise of any lawful right or privilege, such person may be duly authorized to drive or bring any such animal or to cause any such animal to be driven or brought into the pleasure ground for pasturage or for any other lawful purpose.

Vehicles.

10.—A person, other than an officer of the Council, or a person or a servant of a person employed by the Council in or about any work in connexion with the laying out, planting, improvement or maintenance of the pleasure ground, shall not at any time drive or wheel, or cause or suffer to be driven or wheeled into any part of the pleasure ground any barrow, truck, or machine, or any vehicle other than a wheeled chair drawn or propelled by hand, or a perambulator or a chaise drawn or propelled by hand and used solely for the conveyance of a child or children, or an invalid.

Provided that this Bye-law shall not apply to the carriageways of any roads passing through the pleasure ground; and shall not be deemed to prohibit the driving or wheeling of any bicycle, tricycle, velocipede, or other similar machine, in any part of the pleasure ground which is for the time being appointed or intended or adapted for the use of such machines, and is indicated in a notice or notices affixed or set up in a conspicuous position in the pleasure ground.

Amended

1965.

Soiling or Defiling Walls, Fences, etc.

17.—A person shall not wilfully, carelessly, or negligently soil or defile any part of any wall or fence in or enclosing the pleasure ground, or any part of any building, barrier, or railing, or of any fixed or movable seat, or of any monument, work of art, ornament or decoration, or of any other structure, or erection in the pleasure ground, or wilfully, carelessly, or negligently throw or deposit any filth, rubbish, or refuse, or cause or suffer any filth, rubbish, or refuse to fall or to be thrown or deposited upon any part of the pleasure ground.

Broken Glass.

18.—A person shall not wilfully break any bottles or glass, or wilfully, carelessly, or negligently throw or deposit any broken bottles or broken glass in any part of the pleasure ground.

Stone Throwing.

19.—A person shall not wilfully, carelessly, or negligently throw or discharge in the pleasure ground any stone or other missile to the damage, obstruction, annoyance, or danger of any person.

Climbing Walls, Fences, etc.

20.—A person shall not climb any wall or fence in or enclosing the pleasure ground, or any tree, or any barrier, railing, post, or other erection in the pleasure ground.

Bathing, Fishing, Polluting Water or Disturbing Fowls, etc.

21.—A person shall not bathe, wade, or wash in any lake, pond, stream, or other ornamental water in the pleasure ground, or wilfully, carelessly, or negligently foul or pollute any such water or 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 in the pleasure ground.

Birds' Nests and Eggs.

22.—A person shall not, in any part of the pleasure ground, wilfully displace or disturb, injure, or destroy any bird's nest, or wilfully take, injure, or destroy any bird's egg.

Injury to Birds and Animals.

23.—A person, other than an officer of the Council, or a person acting in pursuance of their directions in that behalf, shall not, in any part of the pleasure ground, take, injure, destroy, or wilfully disturb any bird or fowl, or animal, or spread or use any net, or set or use any snare or other engine, instrument, or means for the taking, injury, destruction, or wilful disturbance of any bird or fowl or animal.

Provided that this Bye-law shall not apply in any case where an offence is committed against the Malicious Damage Act, 1861.

Dogs.

24.—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.

Amended 1910.

25.—A person shall not cause or suffer any dog belonging to him or in his charge, to take part while in the pleasure ground in any coursing, racing, or training exercise.

Games and Sports.

26.—(1) A person shall not in the pleasure ground play or take part in any game of football, golf, quoits, bowls, hockey, cricket, or any other game 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 the pleasure ground, except in such space or spaces in the pleasure ground as may be defined or described in a notice or notices, which shall be affixed or set up in some conspicuous position in the pleasure ground and at or near to each of the principal entrances thereto.

(2) Every person resorting to any such space for the purpose of playing or taking part in any such game shall, in making preparation for the playing of such game and in the manner of playing use reasonable and proper care to prevent undue interference with the reasonable and proper use of such space by any other person engaged in making preparation for playing or in playing therein, or thereafter resorting to such space for the purpose of making preparation for playing or of playing therein.

(3) A person resorting to any such space for the purpose of playing or taking part in any such game shall not begin to play at any time when such space is already occupied by such a number of players and in such a manner as to render any addition to the number of players incompatible with the safe and convenient use of such space by the players already in occupation.

(4) Except in any case where the exclusive use of any such space or of any part thereof may have been granted by the Council for the playing of any match, of which the occasion and character shall be such as to render expedient an extension of the time hereinafter specified, a player or company of players shall not, in making preparation for playing and in playing any game, use any part of such space for a longer time than two hours continuously, if, at the expiration of that time any other player or company of players, for whose use no other part of such space or no part of any other space set apart for the purpose may be available, shall make known to such first-mentioned player or company of players an intention to use, for the purpose of playing, such part of such space as shall have been previously used by such player or company of players.

~~27.—A person shall not on Sunday use any part of the pleasure ground for dancing, or for the playing of any game of football, golf, quoits, bowls, hockey, cricket, or any other kindred game.~~

Repealed
1936

Erections.

28.—A person, other than an officer of the Council, or a person or a servant of a person employed by the Council in or about any work in connexion with the laying out, planting, improvement, or maintenance of the pleasure ground, shall not, except as hereinafter provided, erect any post, rail, fence, pole, tent, booth, stand, building, or other structure in any part of the pleasure ground.

Provided that the foregoing prohibition shall not apply in any case where, upon an application to the Council for permission to erect any post, rail, fence, pole, tent, booth, stand, building, or other structure in any part of the pleasure ground, upon such occasion and for such purpose as shall be specified in such application, the Council may grant, subject to compliance with such conditions as they may prescribe, permission to any person to erect such post, rail, fence, pole, tent, booth, stand, building, or other structure.

Carpet Beating, etc.

29.—A person shall not, in any part of the pleasure ground, beat, shake, sweep, brush, or cleanse any carpet, drugget, rug, or mat, or any other fabric retaining dust or dirt.

Clothes Drying.

30.—A person shall not, in any part of the pleasure ground, hang, spread, or deposit any linen or other fabric for the purpose of drying or bleaching.

Public Address.

31.—A person shall not deliver any public address in any part of the pleasure ground, except with the permission of the Council, and subject to compliance with such conditions as they may from time to time prescribe.

Music and Singing.

32.—A person shall not play any musical instrument or sing in any part of the pleasure ground, except with the permission of the Council, and subject to compliance with such conditions as they may from time to time prescribe.

Selling Goods.

33.—A person shall not, in any part of the pleasure ground, 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, such person may be duly authorised to sell or let to hire in the pleasure ground such commodity or article.

Obstruction and Interference.

34.—A person shall not, in any part of 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 connexion with the laying out, planting, improvement, or maintenance of the pleasure ground.

Obscene Language.

35.—A person shall not in the pleasure ground use any indecent or obscene language, or sing any indecent or obscene song, to the annoyance of any other person, or behave in a riotous or indecent manner.

Smoking in Buildings.

36.—A person shall not smoke tobacco or any like substance in any building in the pleasure ground where, by a notice or notices affixed or set up in some conspicuous position, the Council may prohibit smoking in such building.

Fires, Firearms, Fireworks, etc.

37.—A person in the pleasure ground shall not, except as hereinafter provided, make or assist in making any fire, or explode any explosive substance, or discharge any firearm, or set fire to or let off any firework whatever. Provided that this Bye-law shall not be deemed to prohibit the setting fire to, or letting off any fireworks in any case where, upon an application to the Council for permission so to do, the Council may grant such permission, subject to compliance with such conditions as they may prescribe.

Provided further that this Bye-law shall not be deemed to apply in any case where an offence is committed against Section 80 of the Explosives Act, 1875.

Privacy.

38.—A male person above the age of seven years shall not intrude on or use any place in the pleasure ground set apart for the use of females, and a female person shall not intrude on or use any place in the pleasure ground set apart for the use of males.

Penalties.

39.—Every person who shall offend against any of the foregoing Bye-laws shall be liable for every such offence to a penalty of five pounds.

Provided, nevertheless, that the justices or court before whom any complaint may be made or any proceedings may be taken in respect of any such offence may, if they think fit, adjudge the payment, as a penalty, of any sum less than the full amount of the penalty imposed by this Bye-law.

40.—Every person who shall infringe any Bye-law 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 :—

(1) Where the infraction of the Bye-law is committed within the view of such officer or constable, and the name and residence of the person infringing the Bye-law are unknown to and cannot be readily ascertained by such officer or constable.

(2) Where the infraction of the Bye-law 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 the belief that the continuance in the pleasure ground of the person infringing the Bye-law may result in another infraction of a Bye-law, 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 Bye-Laws.

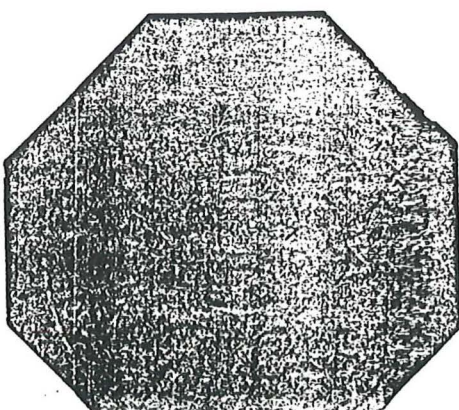
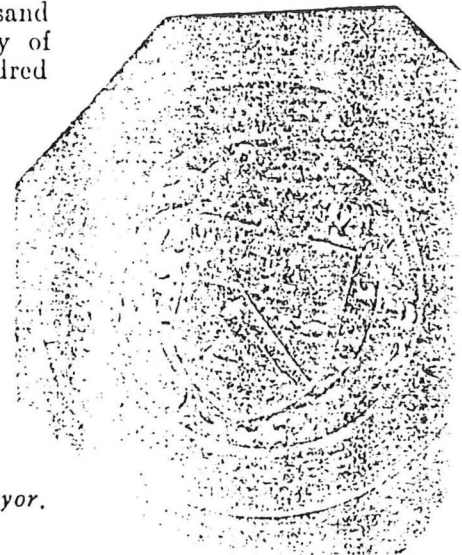
41.—From and after the date of the confirmation of these Bye-laws, the Bye-laws relating to the pleasure ground which were made by the Council on the ninth day of June, in the year one thousand eight hundred and eighty, and the seventh day of December, in the year one thousand eight hundred and ninety nine, and were confirmed by the Local Government Board on the eighteenth day of June, in the year one thousand eight hundred and eighty, and the fifth day of February, in the year one thousand nine hundred respectively, shall be repealed.

The Common Seal of the
Mayor, Aldermen and Burgesses
of the Borough of Barrow-in-
Furness, was hereunto affixed this
7th day of Novr, 1907,
in the presence of

[Signature]
[Signature]

Mayor.

Town Clerk.



Allowed by the Local Government
Board this fourth day of December,
1907.

S. B. Provis.

Secretary,

Acting on behalf of the said Board under