

Park Byelaws

BYE-LAWS

Made under section 164 of The Public Health Act, 1875, by The Mayor, Aldermen and Burgesses of the Borough of Chelmsford acting by the Council with respect to the PLEASURE GROUNDS known as Admirals Park, Admirals Walk, Central Park, Oaklands Park, Pollards Meadow and Tower Gardens.

1. Throughout these bye-laws the expression "the Council" means The Mayor, Aldermen and Burgesses of the Borough of Chelmsford acting by the Council and the expression "the pleasure ground" means except where inconsistent with the context each of the pleasure grounds known as Admirals Park, Admirals Walk, Central Park, Oaklands Park, Pollards Meadow and Tower Gardens and the expression "power driven model aircraft" means any model aircraft driven by combustion of petrol vapour or other combustible substances and shall also include radio-controlled model aircraft and electric battery driven model aircraft.
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. The pleasure ground known as Oaklands Park shall be opened at 7.30 in the forenoon during the months March to October inclusive in every year and shall be opened at 8.30 in the forenoon during the months of November, December, January and February in every year and shall be closed one hour after sunset throughout the year.

Provided always that this byelaw shall not be deemed to require the pleasure ground 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 ground to the public.

4. On any day on which the pleasure ground is open to the public a person shall not enter it before the time or enter or remain in it after the time appointed in the foregoing bye-law.

Provided that nothing in this byelaw shall be deemed to prejudice the operation of any private rights-of-way across or in the pleasure ground known as "Oaklands" Park.

5. A person shall not fly any power-driven model aircraft in the pleasure ground.
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 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;
 - (c) An invalid carriage being a mechanically propelled vehicle the weight of which unladen does not exceed five hundredweight and which is specially designed

and constructed, and not merely adapted, for the use of a person suffering from some physical defect or disability and is used solely by such person.

Provided that where the Council set apart a space in the pleasure ground for the use of any class of vehicle, this bye-law 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, tricycle or other similar machine in any part of the pleasure ground.

Provided that this bye-law shall not be deemed to prohibit the riding of bicycles or tricycles (other than mechanically propelled) over and along the cycle track provided for that purpose in the pleasure ground known as "Central Park" extending from the entrance to Central Park at the south side of the pedestrian subway under Parkway along the eastern side of the lake to the bridge leading to Seymour Street or over and along the roadway in Central Park extending from the bridge leading to Seymour Street in a westerly direction to Rainsford Lane.

- 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 –
 - (i) Remove, cut, or displace any soil, turf, or plant
 - (ii) Pluck any bud, blossom, flower, or leaf of any tree, shrub, or plant.
- 9. A person shall not in the pleasure ground -
 - (i) Wade in any ornamental lake, pond, or other similar water;
 - (ii) Wilfully, carelessly, or negligently foul or pollute any such 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 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 waterfowl, and from entering any ornamental water.
- 11. 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.

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 play any game involving the use of a hard ball in such a position in the pleasure ground as to cause or be liable to cause danger to any person or as to cause or be liable to cause damage to property. Provided that this byelaw shall not apply to any person playing any game in a space set apart by the Council for the playing of that game.
15. A person shall not in the pleasure ground –
 - (i) Except as hereinafter provided erect any post, tent or other structure;

Provided that this prohibition shall not apply whereupon an application to the Council they grant permission to erect any post, tent or other structure, upon such occasion and for such purpose as are specified in the application;
 - (ii) To the annoyance or obstruction of any person using the pleasure ground offer or distribute any handbill, circular or similar article for the purpose of selling or advertising any article or for the purpose of gaining custom;
 - (iii) 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;

- (iv) Except with the prior consent in writing of the Council. Light any fire or attempt to light any fire;
 - (v) In any way interfere with any life-saving apparatus of the Council save in a genuine attempt to save a human life.
16. 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.
17. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding twenty pounds.
18. Every person who shall infringe any bye-law for the regulation of the pleasure ground may be removed there from by any officer of the Council or by any constable, in anyone 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 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 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

19. The bye-laws relating to the pleasure ground save for Admirals Walk and Pollards Meadow which were made by the Council on the twenty-ninth day of July One thousand nine hundred and forty-nine and the second day of June One thousand nine hundred and fifty-one respectively and were confirmed by the Secretary of State 'on the twenty-ninth day of September One thousand nine hundred and forty-nine and on the twenty-third day of July One thousand nine hundred and fifty-one respectively are hereby repealed, and the bye-law relating to Tower Gardens which was made by the Council on the second day of August One thousand nine hundred and sixty-seven and confirmed by the Secretary of State on the twenty-ninth day of November One thousand nine hundred and sixty-seven is also hereby repealed.

GIVEN under the Common Seal of The Mayor Aldermen and Burgesses of the Borough of Chelmsford this fifteenth day of October 1970.

THE COMMON SEAL of THE MAYOR
ALDERMEN AND BURGESSES of the
BOROUGH OF CHELMSFORD WAS
Hereunto affixed in pursuance of a resolution
passed 'at a Meeting of the Council of the
said Borough held on the Seventeenth day of
June 1970 and the same was so affixed in the
presence of: -

D. A. BELLAMY
Mayor

B. A. FRANCIS
Town Clerk

The Secretary of State this day confirmed the foregoing bye-laws and fixed the date on which they are to come into operation as the first day of February 1971.

(K. P. WITNEY)
An Assistant Under-Secretary of State

Home Office,
WHITEHALL.
14th January 1971.