



## BYE-LAWS

Made under Section 164 of the  
Public Health Act 1875, by the

URBAN DISTRICT COUNCIL  
OF NEWTON ABBOT

with respect to the

## PLEASURE GROUNDS

known as

BAKER'S PARK,  
COURTENAY PARK,  
FORDE PARK,  
OSBORNE PARK,  
PENN INN PARK,  
POWDERHAM PARK,

NEWTON ABBOT

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1. Throughout these byelaws the expression "the Council" means the Urban District Council of Newton Abbot, and the expression "the pleasure ground" means, except where inconsistent with the context, each of the pleasure grounds known as Baker's Park, Courtenay Park, Forde Park, Osborne Park, Penn Inn Park and Powderham Park, Newton Abbot.

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) 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;
  - (ii) 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;
  - (iii) climb any wall or fence in or enclosing the pleasure ground or any tree, or any barrier, railing, post, or other erection;
  - (iv) 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 authorized to do so.

5. (a) 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—

- (i) a wheeled bicycle, tricycle, or other similar machine;
  - (ii) a wheel chair, perambulator or chaise, drawn or propelled by hand and used solely for the conveyance of a child or children or an invalid;
- (b) A person shall not ride any bicycle, tricycle or other similar machine in any part of the pleasure ground.

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 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.

7. 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-sixth 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.

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) bathe, wade, or wash, in any ornamental lake, pond, stream, or other water;
- (ii) wilfully, carelessly, or negligently foul or pollute any such water;
- (iii) take, injure, or destroy, or attempt to take, injure, or destroy any fish in any such water, or wilfully disturb or worry any water fowl;

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 Baker's Park or Osborne Park, 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 space.

12. A person resorting to Baker's Park or Osborne Park 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 Baker's Park or Osborne Park 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 Courtenay Park, Forde Park, Penn Inn Park, or Powderham Park play cricket, football, hockey or any other similar game to the danger, discomfort, or annoyance of any other person using the pleasure ground.

15. 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 an agreement with the Council, or otherwise in the exercise of any lawful right or privilege, he is authorized to sell or let to hire in the pleasure ground such commodity or article.

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 *two pounds*.

18. 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.

#### *Repeal of byelaws*

19. The byelaws relating to the pleasure grounds known as
- (a) Courtenay Park, The Marsh Recreation Ground and Powderham Park, and
  - (b) Baker's Park, which were made by the Urban District Council of Newton Abbot on the Twentieth day of June, One thousand nine hundred and ten, and were confirmed by the Local Government Board as to (a) on the Tenth day of August, One thousand nine hundred and ten, and as to (b) on the Twenty-sixth day of August, One thousand nine hundred and ten, are hereby repealed.

Given under the Common Seal of the  
Newton Abbot Urban District Council  
pursuant to a Resolution in that behalf  
passed at a Meeting of the said Council  
held the Twentieth day of February  
One thousand nine hundred and fifty  
one.

L.S.

(Signed) P. PROWSE,  
Chairman of the Council.

H. EVANS,  
Clerk.

I hereby confirm the foregoing  
byelaws and fix the date on which  
they are to come into operation as  
the 1st June, 1951.

L.S.

(Signed) J. CHUTER EDE,  
One of His Majesty's Principal  
Secretaries of State.

Whitehall,  
14th April, 1951.