

BYE LAWS

made under Section 15 of the Open Space Act 1906 of Test Valley Borough Council with respect of the PLEASURE GROUND at Fernyhurst, Rownhams in Hampshire.

1. Throughout these byelaws the expression "the Council" means the Borough Council of Test Valley and the expression "the pleasure ground" means the pleasure ground known as The Lake and Lakeside, Fernyhurst, Rownhams.

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, 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.

4. (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. 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 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.

5. 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.

6. 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 any seat, or of any other erection of ornament in the pleasure ground.

7. A person shall not in the pleasure ground walk run, stand, sit, or lie upon 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, without reasonable excuse,

- (i) bathe, wade, or wash in the lake or in any ornamental lake, pond, stream, or other water;
- (ii) foul or pollute any such water.

9. A person shall not whilst on the land, without lawful excuse or authority, engage in the activity of fishing.

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. 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) hang, spread, or deposit any linen or other fabric for drying or bleaching;

- (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.

12. A person shall not in the pleasure ground intentionally obstruct, disturb or annoy any other person in the proper use of the pleasure ground, or intentionally obstruct or disturb 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.

13. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding £50.00.

14. 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.

GIVEN UNDER THE COMMON SEAL of the Borough Council of Test Valley this
Sixteenth day of *December* 1983.

THE COMMON SEAL
of the Borough Council of
Test Valley was
hereunto affixed
in the presence of:

L. H. Porter

THE MAYOR

Borough Secretary
and Solicitor

[Signature]

~~CHIEF EXECUTIVE~~



6678

The foregoing byelaw(s) ~~is~~/are hereby confirmed by the Secretary of State
and shall come into operation on the *29th* day of February 1984.

Signed by authority of the Secretary of State

G. I. de DENEY

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An Assistant Under-Secretary of State

15 FEB 1984

Home Office
LONDON, SW1.