

BOROUGH OF ANDOVER

BYELAWS

made under Section 164 of the Public Health Act, 1875, by the Mayor, Aldermen and Burgesses of the Borough of Andover acting by the Council with respect to the PLEASURE GROUND known as the Common Acre, Andover in the County of Hampshire.

1. Throughout these byelaws the expression "the Council" means the Mayor, Aldermen and Burgesses of the Borough of Andover acting by the Council and the expression "the pleasure ground" means the pleasure ground known as the Common Acre, Andover, aforesaid.

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 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.

5. 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-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.

6. 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.

7. 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) 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 exercise of any lawful right or privilege, he is authorised to sell or let to hire in the pleasure ground such commodity or article.

8. A person shall not wilfully, carelessly or negligently throw or discharge in the pleasure ground any missile to the damage or danger of any person, or 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.

9. 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 on 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.

10. A person who has attained the age of fifteen years shall not use any swing or other apparatus or equipment in the pleasure ground which by a notice affixed or set up near thereto shall be set apart for the exclusive use of persons under the age of fifteen years.

11. A person shall not preach or lecture, or take part in a public discussion on any subject, or in any meeting for the purpose of making any religious or political demonstration, or of holding a religious service in the pleasure ground.

Provided that this Byelaw shall not apply to interdenominational religious services on occasions of public rejoicing, thanksgiving, remembrance or calamity.

12. (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, perambulator or chaise drawn or propelled by hand and used solely for the conveyance of a child or children or an invalid.

(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.

13. A person shall not fly any power-driven model aircraft, that is to say, any model aircraft driven by the combustion of petrol-vapour or other combustible substances, in the pleasure ground.

14. A person shall not to the annoyance of any person play any musical instrument in any part of the pleasure ground.

15. A person shall not enter or quit the pleasure ground otherwise than through some one of the authorised means of entrance to or exit therefrom.

16. A person shall not bring or cause or suffer to be brought into the pleasure ground any cattle, sheep, goats, or pigs, or any beast of draught or burden, unless in pursuance of any agreement with the Council, or otherwise in exercise of any lawful right or privilege, he is authorised to do so.

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.

GIVEN UNDER THE COMMON SEAL of the Mayor, Aldermen and Burgesses of the Borough of Andover this 18th day of March 1964, in pursuance of a Resolution of the Council on the 5th day of November, 1963.

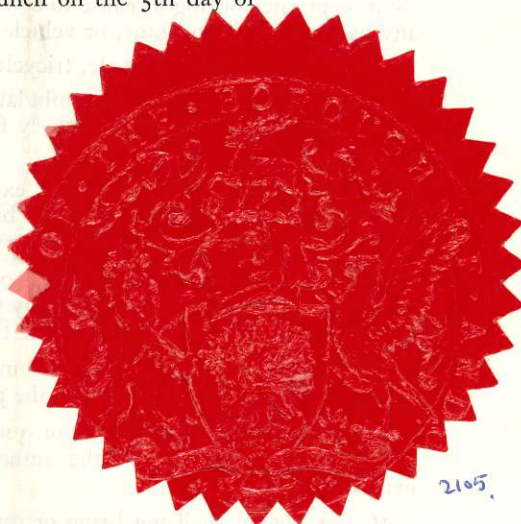
The COMMON SEAL of the Mayor, Aldermen and Burgesses of the Borough of Andover was hereunto affixed in the presence of :

John H. Gardner

Mayor

assistant

John J. Silver
Town Clerk



2105.

The Secretary of State this day confirmed the foregoing byelaws and fixed the date on which they are to come into operation as the first day of July, 1964.

R. J. Guppy R. J. GUPPY

An Assistant Under Secretary
of State.

Home Office
Whitehall.

Ans. 27th May 1964