

Neath Borough Council

BYELAWS

made under Section 164 of the Public Health Act,
1875, with respect to the Pleasure Grounds in the
Borough of Neath

*And under Sections 12 and 15 of the
Open Spaces Act, 1906,*

SHAW & SONS LTD.,
Local Government Publishers,
Shaway House, London, SE26 5AE
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Byelaws

made under section 164 of the Public Health Act, 1875, by the Neath Borough Council with respect to the Pleasure Grounds named in Part I of the Schedule hereto and under Sections 12 and 15 of the Open Spaces Act, 1906, with respect to the Pleasure Grounds named in Part II of the said Schedule.

1. Throughout these byelaws the expression "the Council" means the Neath Borough Council, and the expression "the pleasure ground" means except where inconsistent with the context each of the pleasure grounds named in the Schedule hereto.

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, except the pleasure grounds known as Victoria Park, Briton Ferry and War Memorial Gardens, shall be opened at the hour of 8 o'clock in the forenoon of every day and shall be closed one hour after sunset of every day 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 to which the foregoing Byelaw applies 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 byelaw.

5. A person shall not in the pleasure ground

(i) 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;

(ii) climb any wall or fence in or enclosing the pleasure ground, or any tree, or any barrier, railing, post, or other erection;

(iii) 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.

6. 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.

7. (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 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.

8. 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.

9. A person shall not in the pleasure ground ride or drive any vehicle at such a speed and in such a manner as to cause danger to other persons in the pleasure ground or without reasonable consideration for such persons.

10. 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.

11. 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 is exhibited: Provided that such notice shall not apply to more than one fourth 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.

12. 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.

13. 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.

14. 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.

15. 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.

16. 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.

17. 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 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.

18. 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 grounds.

19. A person shall not in the pleasure ground drive, pitch or chip a solid golf ball except on any area set aside by the Council as golf links or a putting green.

20. A person shall not, except in the exercise of any lawful right or privilege, ride any horse in the pleasure ground except in the pleasure ground known as Gnoll Grounds.

Where any part of the pleasure ground known as Gnoll Grounds has, by a notice affixed in a conspicuous position in the pleasure ground, been set apart as a place where horse-riding is permitted a person shall not except in the exercise of any lawful right or privilege ride a horse in any other part of the pleasure ground.

21. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding twenty pounds.

22. 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

23. The Byelaws relating to the pleasure grounds known as the Briton Ferry Recreation Ground, Gnoll Grounds, Jersey Park, Mount Pleasant Recreation Ground and Victoria Gardens which were made by the Mayor, Aldermen and Burgesses of the Borough of Neath acting by the Council on the ninth day of September 1930 and were allowed by the Minister of Health on the fourth day of November 1930, are hereby repealed.

SCHEDULE

PART I

Briton Ferry Recreation Ground.
Dyfed Road Recreation Ground.
Gnoll Grounds.
Jersey Park.
Mount Pleasant Recreation Ground.
Neath Castle Grounds.
Rhoddfa Clarke.
Shelone Woods.
Victoria Gardens.
War Memorial Gardens, Neath.

PART II

Brynhyfryd Recreation Ground.
Cefn Saeson Playing Field.
Court Herbert Playing Field.
Giant's Grave Playing Field.
Melyncrythan Recreation Ground.
Penydre Children's Playground.
Price's Children's Playground.
Victoria Park, Briton Ferry.

GIVEN UNDER THE COMMON SEAL of the Neath Borough Council this 29th day of May 1975 in pursuance of a resolution of the Council passed on the 29th day of May 1975.

THE COMMON SEAL of the NEATH BOROUGH COUNCIL was hereunto affixed in the presence of



Mayor.



Clerk and Chief Officer.



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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 November 1975.

K. P. Witney.

(K P WITNEY)

An Assistant Under Secretary
of State

Home Office
WHITEHALL

28 September 1975