



CITY AND COUNTY OF THE CITY OF EXETER.

PLEASURE GROUND BYELAWS

BYELAWS

Made under Section 164 of the Public Health Act, 1875, by the Mayor, Aldermen and Citizens of the City and County of the City of Exeter, acting by the Council, with respect to the Pleasure Grounds known as Northernhay Gardens, Pincus Gardens and St. Thomas Pleasure Ground, all in the City of Exeter.

1. Throughout these byelaws the expression "the Council" means the Mayor, Aldermen and Citizens of the City and County of the City of Exeter, acting by the Council; the expression "the pleasure ground" means, except where inconsistent with the context, each of the pleasure grounds known as Northernhay Gardens, Pincus Gardens and St. Thomas Pleasure Ground, all in the City of Exeter, and the expression "power-driven model aircraft" means any model aircraft driven by the combustion of petrol-vapour or other combustible substances.

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 shall be opened at the hour of 7.30 in the forenoon and shall be closed one hour after sunset or at the

hour of 10 in the afternoon (whichever is the earlier), 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 byelaw.

5. 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.

6. 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.

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 ;

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- (b) a wheeled chair, perambulator or chaise drawn or propelled by hand, and intended 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 the pleasure ground.

8. A person who brings a machine or 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 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.

10. 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.

11. 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.

12. 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.

13. A person shall not in the pleasure ground :

(i) wilfully displace or disturb, injure, or destroy any bird's nest or wilfully take, injure, or destroy any bird's egg ;

(ii) take, injure, or destroy any bird, or spread or use any net, or set or use any snare or other engine, instrument, or means, for the taking, injury, or destruction of any bird.

Provided that paragraphs (i) and (ii) of this byelaw shall not apply on any occasion when an offence is committed against the Wild Birds Protection Acts, 1880-1939, or any Order made thereunder and for the time being in force in the City of Exeter.

14. 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.

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

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

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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 connexion with the laying out or maintenance of the pleasure ground.

17. A person shall not in the pleasure ground play cricket, football, hockey or any other similar game to the danger, discomfort or annoyance of any other person using the pleasure ground.

18. A person shall not in the pleasure ground use any obscene language to the annoyance of any person.

19. A person shall not fly any power-driven model aircraft in the pleasure ground.

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

21. 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.

THE COMMON SEAL of the Mayor, Aldermen and Citizens of the City and County of the City of Exeter was hereunto affixed this Sixth day of March, 1952.

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C. J. NEWMAN

Town Clerk.

I hereby confirm the foregoing byelaws and fix the date on which they are to come into operation as the 1st July, 1952.

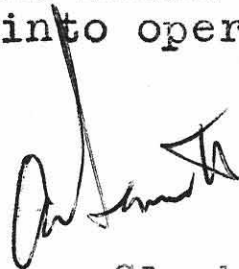


DAVID MAXWELL FYFE

One of Her Majesty's Principal Secretaries of State.

WHITEHALL,
19th May, 1952.

CERTIFIED that this is a true copy of the Byelaws made by the Exeter City Council and confirmed on 19th May, 1952 by The Secretary of State for Home Affairs who fixed the date on which they were to come into operation as the 1st July, 1952.


Town Clerk.