



BOROUGH OF NEWARK

BYELAWS

RELATING TO
OPEN SPACES

J. H. M. Greaves, M.A.,

Town Clerk.

BOROUGH OF NEWARK

BYELAWS

made by the Mayor, Aldermen and Burgesses of the Borough of Newark acting by the Council, under section 15 of the Open Spaces Act, 1906 with respect to the OPEN SPACES known as Lyme Dyke, Lincoln Road Playing Field and the Parish Churchyard and under sections 12 and 13 of the Open Spaces Act, 1906 with respect to the open spaces known as Cherry Holt Playground, Granby Avenue Playground, Queen's Court Playspace, Fleming Drive Playground, Lawrence Street Playground, Bowbridge Road and Gilstrap Park.

1. Throughout these byelaws the expression "the Council" means the Mayor, Aldermen and Burgesses of the Borough of Newark acting by the Council and the expression the "open space" means except where inconsistent with the context each of the open spaces at or known as the Parish Churchyard, Cleveland Square, Cherry Holt Playground, Granby Avenue Playground, Lyme Dyke, Queen's Court Playspace, Fleming Drive Playground, Lincoln Road Playing Field, Lawrence Street Playground, Bowbridge Road and Gilstrap Park.

2. An act necessary to the proper execution of his duty in the open space 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 open space to the annoyance of any other person in the open space play any musical instrument or sing.

Provided that this Byelaw shall not apply to any person taking part in any band or other musical performance held in the open space in pursuance of an agreement with the Council.

4. A person shall not in the open space

(i) carelessly or negligently deface, injure, or destroy any wall or fence in or enclosing the open space, or any building, barrier, railing, post, or seat, or an erection of ornament;

(ii) wilfully, carelessly, or negligently soil or defile any wall or fence in or enclosing the open space, or any building, barrier, railing, post, or seat, or any erection or ornament;

(iii) climb any wall or fence in or enclosing the open space, 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 open space.

5. A person shall not bring or cause to be brought into the open space 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.

6. (i) A person shall not except in the exercise of any lawful right or privilege bring or cause to be brought into the open space 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.

Provided that where the Council set apart a space in the open space 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 open space 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 open space.

7. A person who brings a vehicle into the open space 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 open space where the Council by a notice board affixed or set up in some conspicuous position in the open space prohibit its being wheeled or stationed.

8. A person shall not in the open space 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 open space;

(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.

9. A person shall not in the open space

- (i) remove, cut, or displace any soil, turf, or plant;
(ii) pluck any bud, blossom, flower, or leaf of any tree, shrub, or plant.

10. A person shall not wilfully, carelessly, or negligently throw or discharge in the open space any missile to the damage or danger of any person.

11. A person shall not in the open space

- (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;

12. A person shall not cause or suffer any dog belonging to him or in his charge to enter or remain in the open space 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.

13. Where the Council set apart any such part of the open space as may be fixed by the Council, and described in a notice board affixed or set up in some conspicuous position in the open space, 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 open space 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 open space — a person shall not in any space elsewhere in the open space 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.

14. A person resorting to the open space and playing or taking part in any game for which the exclusive use of any space in the open space 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 open space 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.

15. A person shall not in any part of the open space 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 open space.

16. A person shall not in the open space

- (i) except as hereinafter 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 open space such commodity or article.

17. A person shall not play or take part in any game in the Parish Churchyard.

18. A person shall not in the open space wilfully obstruct, disturb, interrupt, or annoy any other person in the proper use of the open space 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 open space.

19. Any person who by operating or causing or suffering to be operated any wireless set, gramophone, amplifier, or similar instrument in the open space makes or causes or suffers to be made any noise which is so loud and so continuous or repeated as to give reasonable cause for annoyance to other persons in the open space shall be guilty of an offence.

20. A person shall not in the open space use any obscene language to the annoyance of any person.

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

22. Every person who shall infringe any byelaw for the regulation of the open space 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 —

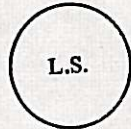
(i) Where the infraction of the byelaw is committed within the view of such officer or constable, and the name and residence of the person infringing the byelaw are unknown to and cannot be readily ascertained by such officer or constable:

(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 open space of the person infringing the byelaw may result in another infraction of a byelaw, or that the removal of such person from the open space is otherwise necessary as a security for the proper use and regulation thereof.

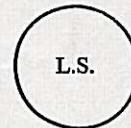
THE COMMON SEAL of the MAYOR ALDERMEN and BURGESSES of the BOROUGH of NEWARK was affixed hereto this seventh day of October, 1965, pursuant to a resolution passed at a meeting of the Town Council of the said Borough held on the twenty-seventh day of September, 1965, in the presence of.....

WM. K. BICKERSTAFFE Mayor.

J. H. M. GREAVES Town Clerk.



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 February, 1966.



R. J. GUPPY An Assistant Under Secretary of State.

WHITEHALL. 20th December, 1965.