

## BYELAWS

Made under Section 248 of the Burnley Borough Improvement Act 1871 and Section 63 of the Burnley Borough Improvement Act 1883 by the Council of the Borough of Burnley with respect to Pleasure Grounds.

1. Throughout these Byelaws:-
  - (a) The expression "the Council" means the Council of the Borough of Burnley; and
  - (b) The expression "the pleasure ground" means, except where inconsistent with the context, each of the pleasure grounds known as Ightenhill Park, Scott Park, Thompson Park, Queens Park, Towneley Park, the Towneley Park Playing Fields (except the building known as Towneley Hall and the out-offices and out-buildings thereto), Barden Gardens, Barden Athletic Track, Barden Lane Playground, Bank Hall Mineral Line and Colliery Site, Briercliffe Road Gardens, Burnley Wood Recreation Ground, Burnley Wood Playground, Barley Grove Playgrounds, Cannons, land off Elm Street, Fenwick Street Playgrounds, Forfar Street Playground, Fulfilledge Recreation Ground, Fulfilledge Playground, Hargher Clough Recreation Ground, Healey Heights Recreation Ground, Highfield Avenue Recreation Ground, Holcombe Drive Playground, Hordley Street Playground, Liverpool Road Gardens, Lowerhouse Bowling Green, Prairie Playing Fields, Kibble Bank Playground, Barclay Hills Playground, Lydgate Playground, Anne Street Playground, Rowley Recreation Area, St Andrews Recreation Ground, Stoneyholme Recreation Ground, Sycamore Avenue Playing Fields, Thornber Gardens, Thursby Gardens, Trafalgar Children's Playground, Turf Moor Gardens, Parklands Recreation Area, Rosehill Gardens, Glamorgan Grove Playground, Harold Avenue Playground, Piccadilly Playground, Pratt Street Playground, Brent Street Playground, Sheddon Grove Playground, Wycoller Avenue Playground, land adjacent to Bank Parade, land adjacent to Towneley Smallholdings, Whittlefield Playground and Whittlefield Recreation Ground.
2. Any 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 grounds named in the Schedule attached hereto shall be opened at the hour of 8 o'clock in the forenoon of every day and shall be closed half an hour after sunset or at ten o'clock in the afternoon of every day whichever shall be earlier, on every day throughout the year except that enclosed children's playgrounds shall be opened at 9 o'clock in the forenoon of every day and shall be closed at sunset or at 8.30 in the afternoon whichever shall be the earlier on every day throughout the year. Provided always that these byelaws 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) 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 (save any climbing frame or similar erection constructed for that purpose);
  - (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 in the pleasure ground take part in any meeting or procession or public discussion without the prior consent of the Council.
7. 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 authorised to do so.
8. 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.
9. Persons 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.
- Provided that this byelaw shall not apply to the roads in the pleasure ground known as Towneley Park, where the Council, by notice boards affixed in some conspicuous position in the pleasure ground may permit such barrow, truck, machine or vehicle to be driven at a speed of not more than 20 miles per hour.
10. 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.
11. 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.
12. 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 1/5<sup>th</sup> 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.
13. A person shall not, except in the exercise of any lawful right or privilege, have in his possession whilst he is in the pleasure ground any fire arm, unless it is so covered with a securely fastened gun cover that it cannot be fired.

This byelaw shall apply to all parts of the pleasure ground except any part thereof which it is a public right of way.

In this byelaw the expression “fire arm” means any barrelled weapon of any description including an air gun from which any shot, bullet, or other missile can be discharged.

14. 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;
  - (iii) take, injure, or destroy or attempt to take, injure, or destroy and fish in any such water or wilfully disturb or worry any water fowl;
  - (iv) wilfully displace or disturb, injure or destroy any birds nest or wilfully take, injure or destroy any birds egg;
  - (v) 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, injuring, or destruction of any bird.
15. A person shall not cause any dog belonging to him or in his charge to enter or remain in any of the pleasure grounds listed in the Schedule attached hereto other than a guide dog in the charge of a blind person.
16. 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 manner as to exclude persons not playing or taking part in the game from the use of such a space.
17. 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.
18. 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.
19. A person shall not in the pleasure ground drive, pitch or chip a solid golf ball except on any part of the pleasure ground set aside by the Council as golf links or a putting course.
20. A person who has attained the age of 12 years shall not use any apparatus on the pleasure ground which by a notice affixed or set upon or near thereto has been set apart by the Council for the exclusive use of persons under the age of 12 years.
21. A person shall not in the pleasure ground
- (i) except as in 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 purposes as are specified in the application;
  - (ii) beat, shake, sweep, brush or cleanse any carpet, 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;
  - (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.

22. 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 and maintenance of the pleasure ground.
23. Every person who shall offend against these byelaws shall be liable on summary conviction to a fine not exceeding £20.
24. 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 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.
25. Byelaws relating to pleasure grounds which were made
- (a) by the Mayor, Aldermen and Burgesses of the County Borough of Burnley on the 6<sup>th</sup> day of January 1971 and confirmed by the Secretary of State on the 10<sup>th</sup> day of May 1971; and
  - (b) by the Urban District Council of Padiham on the 29<sup>th</sup> day of January 1932 are hereby repealed.

THE COMMON SEAL of the Council )  
of the Borough of Burnley was )  
hereunto affixed on the 19<sup>th</sup> day of )  
November 1976 in the presence of:- )

RUTH PILLING  
Mayor

E. H. CARPENTER  
Deputy Town Clerk

SCHEDULE

The Pleasure Grounds referred to in Byelaws No. 3 and No. 16 are as follows:-

Thompson Park; Queens Park; the enclosed areas of Towneley Park; Anne Street Playground; Barden Athletic Track; Barden Gardens; Barden Lane Children's Playground; Barley Grove Playground; Brent Street Playground; Burnley Wood Playground; Fulfilledge Playground; Holcombe Drive Playground; Lydgate Playground; Pratt Street – Disraeli Street Recreation Ground; Sheddon Grove Playground; the enclosed areas of St. Andrew's Recreation Ground; Stoneyholme Recreation Area; Thornber Gardens; Turf Moor Gardens; Ightenhill Park Bowls and Tennis Area; Scott Park; Fenwick Street Playground; Forfar Street Playground; Glamorgan Grove Playground; Hargher Clough Recreation Ground; Harold Avenue Playground; Hordley Street Playground; Liverpool Road Gardens; Lowerhouse Bowling Green; Piccadilly Playground; Rosehill Gardens; Sycamore Avenue Play Areas; Whittlefield Playground.

The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into operation on the first day of February 1977.

Signed by authority of the  
Secretary of State

(R F D SHUFFREY)  
An Assistant Under Secretary  
of State

Home Office  
WHITEHALL

17 January 1977