

BYELAWS for Good Rule and Government and Prevention of Nuisances in the Administrative County

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THE COUNTY COUNCIL OF THE ADMINISTRATIVE COUNTY OF THE
COUNTY PALATINE OF LANCASTER

LOCAL GOVERNMENT ACT, 1933

BYELAWS FOR GOOD RULE AND GOVERNMENT AND PREVENTION OF
NUISANCES

Byelaws made by the County Council of the Administrative County of the County Palatine of Lancaster under part XII of the Local Government Act, 1933.

BEHAVIOUR IN STREETS AND PUBLIC PLACES

Obstructing, Jostling, etc

1 - If two or more persons assembled together wilfully obstruct the free use of any street, or wilfully jostle or annoy any foot passengers, and continue such obstruction, jostling or annoyance after being required by a constable to desist, each such person shall be guilty of an offence, and shall be liable on conviction to the penalty hereinafter provided.

Loitering at or near Entrances of Places of Public Worship

2 – No person shall wilfully and persistently loiter at or near the entrance to a church, chapel, or other place of public worship to the annoyance or obstruction of any persons going to, attending at or returning from divine service in such church, chapel or other place of public worship.

Indecent Language, Gestures etc

3 – No person shall in any street or public place, or in any place within view or hearing of any street or public place, use any indecent language or gesture, or commit or solicit, incite or provoke any other person to commit any indecent act to the annoyance of residents or passengers.

Touting

4 – No person shall in any street or public place for the purpose of selling or advertising any article or obtaining custom tout or importune to the annoyance or obstruction of passengers.

Fighting

5 – No person shall in any street or public place fight or provoke or incite any person or animal to fight.

Carrying Carcasses, etc

6 – No person shall carry or convey along or through any street or public place the undressed carcass of any animal, or any offensive offal, unless the same be properly covered.

Dangerous Games near Streets

7 – No person shall on any land adjoining a street play tipcat or any offensive or dangerous game in such a manner as to cause obstruction to the traffic or danger to any person in such street.

Obstruction or Danger to Traffic

8 – No person shall in any street or public place, or on any land adjoining, or near to any street or public place, keep or manage, or cause to be kept or managed, a shooting gallery, swingboat, roundabout or any other construction of a like character so as to cause obstruction or danger to the traffic in such street or public place, provided always that this byelaw shall not apply to any fair or feast lawfully held.

Carrying Soot, etc

9 – No person shall in any street or public place, to the inconvenience or danger of passengers, carry or convey along any footpath any bag of soot, lime or other offensive substance, or any pointed or edged tools or implements not properly protected.

Droppings from Vehicles

10 – A person in charge of a vehicle which is upon a highway shall, when to his knowledge any mud, clay, lime or similar material has fallen on the highway from the vehicle and is likely if not removed therefrom to cause obstruction or danger to persons using the highway or injury to the surface of

the highway, remove or cause to be removed all such fallen material from the highway as completely as is reasonably practicable.

The person in charge of a vehicle shall not bring the vehicle or permit it to be brought upon a highway unless there has been removed from the wheels thereof as completely as is reasonably practicable all mud, clay, lime and similar material which is likely, if not so removed, to cause obstruction or danger to persons using the highway or injury to the surface of the highway.

In this byelaw –

“highway” means a highway repairable by the inhabitants at large;

“person in charge of a vehicle” means the person who, whether as owner or otherwise, has the charge or control of a vehicle or being present is entitled to give orders to the person having charge or control;

“vehicle” includes any trailer and any agricultural implement or machine;

“wheels” includes axles, runners and tracks.

BEHAVIOUR CONTRARY TO PUBLIC DECENCY

Nuisance contrary to Public Decency

11 – No person shall in any street or public place in any town, village or hamlet, or immediately in view of the windows of any dwelling-house to the annoyance of residents or passengers commit any nuisance contrary to public decency or propriety.

Indecent Bathing

12 – No person shall within two hundred yards of any street or public place, unless effectually screened from view, bathe from the bank or strand of any water, or from any boat thereon, without wearing a dress or covering sufficient to prevent indecent exposure of the person.

Indecent Shows

13 – No person shall exhibit any indecent show in any street or public place, or in any place to which persons are admitted with or without the payment of money.

Spitting

14 – No person shall spit on the floor, side or wall of any public carriage or of any public hall, public waiting-room or place of public entertainment, whether admission thereto be obtained upon payment or not.

Sale of Contraceptives in Slot Machines

15 – It shall be an offence to offer a contraceptive for sale by means of an automatic machine so placed that it can be use by persons who are in a street.

In this byelaw the expression “street” includes a way or place over which the public have a right of passage, and also the forecourt of, or entrance to, a building, provided that such a forecourt or entrance is exposed to the view of persons passing along the street, and that the public have unrestricted access to such forecourt or entrance.

Where a person is convicted for an offence against this byelaw and the offence is continued after conviction, that person shall be guilty of a further offence and liable on summary conviction to a fine not exceeding Two Pounds for every day on which the offence is so continued.

NOISE

Noisy Hawking

16 – No person shall, for the purpose of hawking, selling, distributing or advertising any article, shout or use any bell, gong or other noisy instrument in any street or public place so as to cause annoyance to the inhabitants of the neighbourhood.

Noise from Roundabouts etc

17 – No person shall, in connection with any roundabout, show, exhibition or performance, placed or held in any street or on any vacant ground adjoining or near to any street, make or cause to be made any loud and continuous or repeated noise by means of any organ or other similar instrument to the annoyance of residents or passengers, provided always that this byelaw shall not apply to any fair or feast lawfully held.

Shouting or Otherwise Making Loud Noises, etc

18 – No person shall in any street or public place, shout repeatedly or continuously or make any loud outcry or noise –

- (a) in the Urban District of Formby and the Parishes of Aintree, Altcar, Aughton, Ford, Maghull, Netherton, Scarisbrick and Thornton, in the West Lancashire Rural District, between the hours of 9pm and 6am; and
- (b) in any other Rural or Urban District, between the hours of 10pm and 6am.

Music near Houses

19 – No person shall sound or play upon any musical or noisy instrument or sing in any street or public place within one hundred yards of any dwellinghouse or office, after being requested to desist by any inmate or occupant thereof, either personally or through a servant, or through a constable, on account of the interruption of the ordinary occupations or pursuits of any such inmate or occupant or for other reasonable and sufficient cause. Provided that this byelaw shall not apply to properly conducted religious services, except where the request to desist is made on the ground of the serious illness of any inmate of the house.

Music near Churches, etc

20 – No person shall sound or play upon any musical or noisy instrument or sing in any street or public place within one hundred yards of any place of public worship or public entertainment or other place of public assembly in which persons are for the time being assembled, to the annoyance or disturbance of any person or persons so assembled, after being requested to desist by any constable, or by any person so annoyed or disturbed, or by any person acting on his behalf.

Music near Hospitals

21 – No persons shall sound or play upon any musical or noisy instrument or sing in any street or public place within one hundred yards of any hospital, infirmary, convalescent home or other place used for the reception or treatment of the sick after being requested to desist by any constable, or by any inmate or officer of such hospital or other place, or by any person acting on his behalf.

Wireless Loudspeakers, Gramophones etc

22 – No person shall –

- (a) in any street or public place or in connection with any shop, business premises or other place which adjoins any street or public place and to which the public are admitted; or
- (b) upon any other premises;

by operating or causing or suffering to be operated any wireless loudspeaker, gramophone, amplifier or similar instrument make or cause or suffer to be made any noise which shall be so loud and so continuous or repeated as to cause a nuisance to occupants or inmates of any premises in the neighbourhood.

Provided that this byelaw shall not apply to any fair lawfully held and that no proceedings shall be taken against any person for any offence against this byelaw in respect of premises referred to in paragraph (b) thereof, unless the nuisance be continued after the expiration of a fortnight from the date of the service on such person a notice alleging a nuisance, signed by not less

than three householders residing within hearing of the instrument as aforesaid.

Sound of Steam Sirens and Whistles on Vessels

23 – No person being captain, owner or in charge of any vessel within the limits of so much of the Harbour of Fleetwood and the River Wyre or either of them as lies within the Urban District of Preesall, in the County of Lancaster, shall, except for purposes of navigation or other reasonably necessary purposes, sound or use or cause to be sounded or used, a siren, steam trumpet or other steam instrument to the annoyance or disturbance of any of the inhabitants of the Administrative County.

LITTER, REFUSE ETC

Refuse, etc, in Streets

24 – No person shall –

- (a) sweep or otherwise remove from any shop or house into any street any waste-paper, shavings or other refuse, or being a costermonger, newsvendor or other street trader, throw down and leave in any street any waste-paper, shavings or other refuse;
- (b) throw down and leave in any street any bill, placard or other paper which shall have been torn off or removed from any bill-posting station.

Orange Peel, Banana Skins, etc, on Footways

25 – No person shall in any street or public place throw or leave any orange peel, banana skin or other dangerous substance on any footway.

Broken Glass in Streets and Public Places

26 – No person shall throw, place or leave any bottle or any broken glass or other sharp substance (not being road material) on or in any street or public place in such a position as to be likely to cause injury to passengers, or damage to property.

Litter

27 – No person shall (except by permission of the owner or occupier, or of the person or authority having control thereof, or unless authorised by law so to do) place or deposit and leave on or in –

- (a) any highway or any roadside waste;

- (b) any common, village green, park, recreation ground, beach or foreshore, or other open space to which the public have access for the time being; or
- (c) any water, watercourse or ditch, in or abutting on any such highway, roadside waste or other place aforementioned;

any glass, china, earthenware, tin, carton, paper or other rubbish so as to create or tend to create a litter.

Provided that where an offence is committed against this byelaw with respect to any pleasure ground, public walk, recreation ground, park, roadside waste, common, village green, beach or foreshore, or open space or any limitation or condition imposed by the Minister of Agriculture and Fisheries under Section 193 of the Law of Property Act, 1925, a person shall not be liable to more than one penalty in respect of the same offence.

ANIMALS

Noisy Animals

28 – No person shall keep within any house, building or premises any noisy animal which shall be or cause a serious nuisance to residents in the neighbourhood. Providing that no proceedings shall be taken against any person for an offence against this byelaw unless the nuisance be continued after the expiration of a fortnight from the date of the service on such person of a notice alleging a nuisance, signed by not less than three householders residing within hearing of the animal.

Unsecured Bulls

29 – No person shall drive or lead or cause to be driven or led in any street or public place any bull exceeding the age of 12 months unless it is properly secured and kept under proper control; or being the occupier of any field or enclosure through which there is a public path, permit any bull to be at large in such field or enclosure.

Dogs Fouling Footways

30 – No person being in charge of a dog shall allow the dog to foul the footway of any street or public place in the areas described in the schedule to this byelaw, by depositing its excrement thereon. Provided that a person shall not be liable to be convicted of an offence against this byelaw if he satisfies the Court that the fouling of the footway by the dog was not due to culpable neglect or default on his part.

For the purposes of this byelaw the owner of the dog shall be deemed to be in charge thereof unless the Court is satisfied that at the time when the dog fouled the footway it had been placed in or taken into the charge of some other person.

Any person who offends against this byelaw shall be liable on conviction to a fine not exceeding Two Pounds.

Schedule

Each Urban District in the Administrative County of the County Palatine of Lancaster.

In the Rural District of Blackburn, the Parishes of Balderstone and Osbaldeston.

In the Rural District of Preston, the Parishes of Barton, Broughton, Farington, Goosnargh, Grimsargh, Hutton, Lea, Little Hoole, Longton, Much Hoole, Penwortham, Ribchester, Woodplumpton, and Whittingham.

In the Rural District of West Lancashire, the Parishes of Aintree, Aughton, Lydiate, Maghull and Thornton.

In the Rural District of Whiston, the Parishes of Bold, Eccleston, Halewood, Kirkby, Knowsley, Rainhill, Whiston and Windle.

ADVERTISING

Advertising Bills

31 – No person shall for the purpose of advertising throw about or deposit in any street or public place any bill, placard or other paper.

Advertising Vehicles

32 – No person shall in any street draw, wheel or drive any vehicle used solely or chiefly for the purpose of exhibiting advertisements so as to cause obstruction or danger to the traffic in such street.

Flags

33 – No person shall place or suspend any flag containing any advertisement relating to any trade or business in, over or across any street to the annoyance of residents or passengers or to the alarm of horses.

Defacing Pavements etc

34 – No person shall for the purpose of the advertising or of disseminating news, propaganda or the like, deface the footway or roadway of any street by writing or other marks.

MISCELLANEOUS

Violent Behaviour, etc, on School Premises

35 – Any person other than a teacher, child, manager or other duly authorised person, being in or on the buildings, playground or other premises

of any County School or Voluntary School, who, after being requested to depart therefrom by the head teacher or the teacher acting as the head teacher of such school, refuses to depart therefrom and makes use of any violent, abusive, profane, indecent or obscene language or otherwise behaves in a disorderly manner, shall be guilty of an offence, and shall be liable on conviction to the penalty hereinafter provided.

Destruction of Wild Plants

36 – No person shall (unless authorised by the owner or occupier if any, or by law so to do) uproot any ferns or other plants growing in any highway, roadside waste, roadside bank, hedge, common or other place to which the public have access.

Extent

37 – The foregoing byelaws shall have effect throughout the Administrative County of the County Palatine of Lancaster, except within the boundaries of any Municipal Borough and except wherein it is otherwise expressly so provided.

Revocation of Byelaws

38 – Upon the date on which these byelaws came into force all previous byelaws made by the County Council of the Administrative County of the County Palatine of Lancaster for the good rule and government of, and the prevention of nuisances in, the County, under Part XII of the Local Government Act, 1933, or any enactment replaced by that Act, except such byelaws as relate to the riding of bicycles, tricycles, or other similar machines on footpaths, shall be and are hereby revoked.

*Penalties**

39 – Except where otherwise provided any person offending against any of the foregoing byelaws shall be liable on summary conviction to a fine not exceeding Five Pounds.

The Common Seal of the County Council of the Administrative County of the County Palatine of Lancaster was hereunto affixed in pursuance of a Resolution of the said County Council passed at a meeting duly convened and held on the fifth day of November, one thousand nine hundred and fifty three.

LS

County Hall
Preston

R. ADCOCK
Clerk of the County Council.

I hereby confirm the foregoing byelaws and fix the date on which they are to come into operation as the 1st May, 1954.

DAVID MAXWELL FYFE
One of Her Majesty's Principal
Secretaries of State

LS

Whitehall,
16th March, 1954.

*** As a result of the Criminal Justice Act, 1967, the maximum penalty for an offence against these byelaws is increased from £5 to £20 as from the 1st January, 1968.**