



Lewes District Council

BOROUGH OF LEWES

BYELAWS

WITH RESPECT TO THE PELL'S PLEASURE GROUND

BYELAWS

made under sections 12 and 15 of the Open Spaces Act 1906, by the Mayor Aldermen and Burgesses of the Borough of Lewes acting by the Council with respect to the Pleasure Ground known as The Pells.

1. Throughout these byelaws the expression “the Council” means the Mayor Aldermen and Burgesses of the Borough of Lewes acting by the Council and the expression “the pleasure ground” means the pleasure ground known as The Pells and comprising the three pieces of land more particularly described 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. 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.
4. 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.
5. (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, perambulator or chaise drawn or propelled by hand and used solely 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 any part of the pleasure ground.

6. 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.

7. 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.

8. 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.

9. 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.

10. 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.

11. 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 any fish in any such water, or wilfully disturb or worry any water fowl :

Provided always that these byelaws shall not be deemed to prohibit the taking of any fish by a person who at the time of such taking has in his possession a written permit issued by the Council authorising such taking

12. 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.

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

14. 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.

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

16. A person shall not deliver any public address in any part of the pleasure ground.

17. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding TWO POUNDS.

18. 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 the 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

19. The byelaw relating to parts of the pleasure ground which were made by the Mayor Aldermen and Burgesses of the Borough of Lewes acting by the Council on the seventh day of September eighteen ninety-eight and were allowed by the Local Government Board on the nineteenth day of October eighteen ninety-eight, are hereby repealed.

The SCHEDULE before referred to

Interpretation

In this schedule the following terms shall have the meanings ascribed to them as follows, namely:-

“the river footpath” means the public footpath which leads northwards from the junction of Brook Street, St. John’s Hill and Pelham Terrace to the bank of the River Ouse.

“the railway footpath” means the footpath which leads westwards from a point on the river footpath approximately 10 yards from the southerly end thereof to the footbridge over the railway at the south-easterly end of the road or path known as Cabbage Lane.

“the Ordnance Survey Sheet” means Ordnance Survey Plan No. TQ 4110 (1956 Edition)

Description of the 3 pieces of land comprising the pleasure ground

1. The enclosed piece of land formerly known as the Town Brook Recreation Ground situate on and having a frontage of 352 feet or thereabouts to the north side of Brook Street; and having a frontage of 198 feet or thereabouts to the River Footpath; and bounded on the north side by the Pells Open Air Swimming Bath, on the east side partly by field numbered 5657 on the Ordnance Survey Sheet partly by the miniature rifle range and partly by a builders yard.

2. The piece of land (parts whereof are covered by water) situate on the west side of and having a frontage of 530 feet or thereabouts to the River Footpath and bounded on the north and west sides partly by a right of way, and partly by a ditch or drain running along the southern and eastern boundaries of fields numbered 3559 and 3665 on the Ordnance Survey Sheet; on the west side partly by field numbered 2564 on the Ordnance Survey Sheet and partly by the railway embankment; and having a frontage on the south side of 625 feet or thereabouts to the railway footpath.

3. The piece of land situate on the north side of and having a frontage of 490 feet to Pelham Terrace; and bounded on the north side of the Railway Footpath; on the western extremities partly by the railway embankment and partly by the eastern boundary of No. 14 Pelham Terrace; and on the east side by the River Footpath.

Given under the Common Seal of the Mayor, Aldermen and Burgesses of the Borough of Lewes this Third day of February 1959.

George Edward John Hayward
Mayor

LS

R.A.R. Gray
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 1st day of May, 1959.

E. H. Gwynn
An Assistant Under Secretary
of State

Home Office,
Whitehall,
24th March, 1959