



CITY OF BIRMINGHAM.

At a Quarterly Meeting of the Council of this City, held pursuant to a Resolution of the Council fixing same and to Notice by the Lord Mayor, on Tuesday, the 28th day of July, 1925, at Two o'clock in the afternoon, in the Council Chamber, at the Council House.

THE RIGHT HONOURABLE THE LORD MAYOR
(ALDERMAN PERCIVAL BOWER, M.B.E.) IN THE CHAIR.

(Inter alia)

It was Resolved—

27,340. That, by virtue of the provisions of the Birmingham Corporation (Consolidation) Act, 1883, and by every other power enabling them in this behalf, this Council hereby make and adopt the following Bye-laws in respect of places of public resort or recreation belonging to them and known as the Lickey Hills, and hereby authorise and instruct the Parks Committee to take all necessary steps in the name, and on behalf of, the Council, and where requisite under the Corporate Seal for the purpose of complying with the provisions of the said Act with reference to the making of Bye-laws, and for giving effect to such Bye-laws when confirmed by the proper confirming Authority.

CITY OF BIRMINGHAM.

BYE-LAWS

MADE BY THE LORD MAYOR, ALDERMEN, AND CITIZENS OF THE CITY OF BIRMINGHAM, ACTING BY THE COUNCIL, WITH RESPECT TO PLACES OF PUBLIC RESORT OR RECREATION BELONGING TO THEM AND KNOWN AS THE LICKEY HILLS, AND SITUATED IN THE CITY OF BIRMINGHAM AND THE COUNTY OF WORCESTER.

1. Throughout these bye-laws the expression "the Council" means the Lord Mayor, Aldermen, and Citizens of the City of Birmingham, acting by the Council; "the map" means a map which has been prepared in duplicate, each of such duplicates being sealed with the official seal of the Minister of Health and marked "Map referred to in the bye-laws with respect to the Lickey Hills, made the 28th day of July, 1925," and of which duplicates one is deposited at the Ministry of Health and the other in the office of the Town Clerk of Birmingham; the expression "the hills" means the Lickey Hills and the lands in the City of Birmingham and the County of Worcester belonging to the Council and shown edged green on the map, but not so as to include the public highways crossing the same and shown coloured brown on the map.

2. The provisions of these bye-laws shall not apply to:—

(a) a person for the time being duly authorised by the Council, in writing, for any purpose in connection with the management, maintenance or regulation of the hills, and acting in the proper execution of that purpose, and a person duly authorised by such a person and acting in the proper execution of such authority, and

(b) a person acting in the legal exercise of some right in, over or affecting the hills.

3. A person shall not climb any tree or damage or deface any tree, shrub or plant or any turf on the hills.

4. A person shall not remove or damage or deface any fence, gate, notice board, structure or other thing put up or maintained by the Council on the hills.

5. A person shall not post or paint any bill, advertisement, or notice on any tree or fence or notice board on the hills.

6. A person shall not light any fire or throw or let fall any lighted thing or substance which may be likely to cause damage by fire on the hills.

7. A person shall not turn out on the hills any cattle, sheep or other animal without the written permission of the Council.

8. A person shall not catch or kill any bird or animal, or set any trap or net or lime any tree or lay any snare of any description whatsoever for birds or animals, or take any birds' eggs or nests on the hills; or chase or drive game or other animals on the hills; or fish in any waters on the hills.

9. A person shall not cause or suffer any dog belonging to him or in his charge to enter or remain on the hills unless such dog be and continue to be under proper control.

10. A person shall not bathe in any waters on the hills except in such places as may, from time to time, be specified by notice exhibited by the Council on the hills.

11. A person shall not wilfully throw or discharge any stone or other missile to the damage or danger of any person or throw or set fire to any fireworks on the hills. Provided that this bye-law shall not be deemed to apply in any case where an offence is committed against any provision of the Explosives Act, 1875, or any bye-law made thereunder.

12. A person shall not ride a horse or donkey on the hills other than along or upon any road or bridle path where riding shall be expressly permitted by notice.

13. A person shall not bring or cause to be brought on the hills any barrow, truck or machine, or any vehicle other than a wheeled chair drawn or propelled by hand, or a perambulator or a chaise drawn or propelled by hand and used solely for the conveyance of a child or children or an invalid. Provided that this bye-law shall not be deemed to prohibit the driving of any vehicle on to any place or stand set apart by the Council for the parking of vehicles, or the wheeling of any bicycle or similar machine on any part of the hills not set apart in pursuance of these bye-laws for the purpose of any game.

14. A person shall not without the written permission of the Council, sell, offer or expose for sale any article or thing or provide for gain any amusement or entertainment on any part of the hills.

15. A person shall not take part in any meeting or demonstration on the hills except in accordance with the following regulation :—

Previous written application shall be made to the Council for permission to use such part or parts of the hills as may, from time to time, be set aside for any of the purposes aforesaid, and the Council may refuse such permission on the ground that a breach of the peace is anticipated if such meeting or demonstration takes place, or on the ground that permission to use the hills or part of the hills referred to in such application for the purpose of a meeting or demonstration has already been applied for in respect of the same date and time.

16. A person shall not solicit or collect money or money's worth on the hills in connection with any meeting or demonstration. Provided that nothing in this bye-law shall interfere with the operation of any regulations made under Section 5 of the Police, Factories, etc. (Miscellaneous Provisions), Act, 1916.

17. Where the Council set apart any such part of the hills as may be fixed by the Council and may be described in a notice board fixed or set up in some conspicuous position on the hills, 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 on the hills, 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 hills ;

(1) A person shall not, in any space elsewhere on the hills, 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 space.

(2) A person shall not play or take part in any game on any part of the hills, set apart for the purpose of any game as aforesaid, for the use of which part of the hills a charge is made by the Council, unless such person shall have paid to the Council the proper charge for the use thereof.

18. A person shall not exercise and drill on any part of the hills except with the written permission of the Council. Provided that this bye-law shall not apply to a member of His Majesty's Forces in uniform acting in obedience to the lawful command of a commissioned or non-commissioned officer.

19. A person shall not throw down, leave or scatter upon the hills any banana skins, orange peel, paper, bottles, tins or other litter, so as to spoil or tend to spoil the amenities of the hills.

20. A person shall not smoke tobacco in any building on the hills where a notice is conspicuously placed prohibiting smoking.

21. A person shall not skate on any stream or pool on the hills except in such places as may be specified by notice exhibited by the Council.

22. A person shall not on any part of the hills wilfully hinder or obstruct any other person in the proper use and enjoyment of the hills or wilfully obstruct or interrupt any officer of the Council in the proper execution of his duty.

23. A person shall not on any part of the hills use any indecent or obscene language to the annoyance of any other person or behave in a disorderly or indecent manner on the hills.

24. A person shall not without the written permission of the Council erect any fence, tent, stand or other structure on the hills.

25. Every person who shall offend against any of the foregoing bye-laws shall be liable for every such offence to a penalty of FIVE POUNDS. Provided, nevertheless, that the justices or court before whom any complaint may be made or any proceedings may be taken in respect of any such offence may, if they think fit, adjudge the payment, as a penalty, of any sum less than the full amount of the penalty imposed by this bye-law.

26. Every person who shall offend against any of the foregoing bye-laws may be removed from the hills 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 offence against the bye-laws is committed within the view of such officer or constable, and the name and residence of the person infringing the bye-laws are unknown to and cannot be readily ascertained by such officer or constable;

(ii.) Where the offence against the bye-laws 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 on the hills of the person infringing the bye-laws may result in another infraction of a bye-law, or that the removal of such person from the hills is otherwise necessary as a security for the proper use and regulation thereof.

27. The foregoing bye-laws shall not be deemed to apply in any case where an offence is committed against any provision of the Malicious Damage Act, 1861, the Public Health Act Amendment Act, 1907, or the Criminal Justice Administration Act, 1914.

28. From and after the date of the confirmation of these bye-laws the bye-laws with respect to parks, public walks and places of public resort or recreation belonging to the Council which were made by the Council on the Nineteenth day of October, 1909, and confirmed by the Local Government Board on the Nineteenth day of January, 1910, and the bye-laws made by the Council on the Fifteenth day of April, 1921, and confirmed by the Minister of Health on the Twenty-second day of April, 1921, shall cease to apply to the hills.

The Common Seal of the Lord Mayor,
Aldermen, and Citizens of the City of
Birmingham was hereunto affixed
the Seventh day of August, 1925.

F. H. C. WILTSHIRE,
Town Clerk.



Allowed by the Minister of Health this
Third day of October, 1925.

H. W. S. FRANCIS,
Assistant Secretary,
Ministry of Health.

