



BOROUGH OF SOLIHULL  
LOCAL GOVERNMENT ACT 1933

BYELAWS

For the

GOOD RULE AND GOVERNMENT OF THE BOROUGH OF SOLIHULL  
AND FOR THE PREVENTION OF NUISANCES

Made by the Council of the Borough in pursuance of  
Section 249 of the Local Government Act, 1933

W. MAURICE MELL,  
Town Clerk

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**1. MUSIC NEAR HOUSES**

No person shall sound or play upon any musical or noisy instrument or sing in any street or public place within 100 yards of any dwelling-house 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.

**2. MUSIC NEAR CHURCHES, ETC.**

No person shall sound or play upon any musical or noisy instrument or sing in any street or public place within 100 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.

**3. MUSIC NEAR HOSPITALS**

No person shall sound or play upon any musical or noisy instrument or sing in any street or public place within 100 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.

**4. ORGANS**

No person shall in any street or public place, or on any land adjoining or near to any street or public place, use or play, or cause to be used or played, any steam organ or other musical instrument worked by mechanical means, to the annoyance or disturbance of residents or passengers.

## 5. WIRELESS LOUDSPEAKERS, GRAMOPHONES, ETC.

No person shall

- (a) in any street or public place or in 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 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 of a notice alleging a nuisance, signed by not less than three householders residing within hearing of the instrument as aforesaid.

## 6. TOUTING

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.

## 7. SHOOTING GALLERIES, ETC.

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, swing-boat, 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.

## 8. INDECENT LANGUAGE, ETC.

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.

## 9. VIOLENT BEHAVIOUR, ETC. ON SCHOOL PREMISES

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 made use of any violent, abusive, profane, indelicate 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.

## 10. FIGHTING

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

## 11. INDECENT BATHING

No person shall within 200 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.

## 12. INDECENT SHOWS

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.

## 13. WILFUL JOSTLING

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.

## 14. ADVERTISING VEHICLES

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.

## 15. FLAGS

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.

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## 16. DEFACING PAVEMENTS, ETC.

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

## 17. ADVERTISING BILLS

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

## 18. WASTE PAPER, REFUSE, ETC.

No person shall (1) 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; (2) 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.

## 19. DEPOSIT OF LITTER TO THE DETRIMENT OF PUBLIC AMENITIES

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 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 always that where an offence is committed against this Byelaw and against any Byelaw with respect to any pleasure ground, public walk, recreation ground, park, roadside waste, common, village green or open space, or any limitation or condition imposed by the Minister of Agriculture, Fisheries and Food 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.

## 20. ORANGE PEEL, ETC.

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

## 21. BOTTLES, BROKEN GLASS, ETC.

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.

## 22. DOGS FOULING FOOTWAYS

(1) No person being in charge of a dog shall allow the dog to foul the footway of any street or public place 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.

(2) 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.

## 23. CARRYING SOOT, ETC.

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.

## 24. CARRYING CARCASSES, ETC.

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

## **25. DANGEROUS GAMES NEAR STREETS**

No person shall on any land adjoining a street play tip-cat 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.

## **26. SPITTING**

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.

## **27. BULLS**

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 twelve months, unless it be 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 such bull to be at large in such field or enclosure.

## **28. NOISY ANIMALS**

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. Provided 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.

## **29. SALE OF CONTRACEPTIVES IN SLOT MACHINES**

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

(b) 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.

## **30. PRESERVATION OF ROAD MARGINS LAID OUT FOR ORNAMENTAL PURPOSES**

(a) No person shall without lawful authority:-

- (1) ride, lead or drive any horse or cattle, or cause any horse or cattle to be ridden, led or driven; or
- (2) drive or place a vehicle, or cause a vehicle to be driven or placed, upon any road margin to which this Byelaw applies in such a manner as to injure or to be likely to injure any turf or any tree, shrub or plant growing thereon.

- (b) (1) This Byelaw applies to any road margin which is:-
- (i) in or beside a public road other than a Trunk Road vested in the Minister of Transport and Civil Aviation;
  - (ii) laid or sown with grass or planted with trees, shrubs or plants, and maintained constantly in good order for ornamental purposes; and
  - (iii) indicated to be a margin to which this Byelaw applies by means of notices conspicuously displayed on or near the said margin by the Solihull Borough Council.
- (2) In this Byelaw the expression “horses or cattle” includes mules, asses, pigs and sheep.

### 31. CYCLING ON FOOTPATHS NOT ALONGSIDE HIGHWAYS

In so far as the Council may indicate by notices conspicuously exhibited alongside any of the footpaths described in the schedule to these Byelaws that the riding of bicycles, tricycles or other similar machines on such footpath is prohibited, no person shall ride any such bicycle, tricycle or other similar machine upon such footpath.

Provided that this Byelaw shall not apply to any person riding a bicycle, tricycle or other similar machine, otherwise than to the obstruction or danger or any person lawfully using such footpath.

- (a) on any footpath, included in the schedule to these Byelaws if the person so riding has lawful authority so to do; or
- (b) on any of the footpaths numbered 3, 18 and 29 in the schedule to these Byelaws if the person so riding is bona fide going to or coming from premises abutting on that footpath.

### 32. DEPOSIT OF MUD AND OTHER MATERIALS ON THE HIGHWAY

(a) **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.

(b) 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.

(c) In this Byelaw:-

“highway” means a highway repairable by the inhabitant<sup>5</sup> at large.

“persons 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.

### 33. PENALTIES

Any person offending against any of the foregoing Byelaws shall be liable on summary conviction to a fine not exceeding Five Pounds and in the case of a continuing offence under Byelaws No.29 a further fine not exceeding forty shillings for each day during which the offence continues after conviction therefor.

#### THE SCHEDULE FOOTPATHS TO WHICH BYELAW NO.31 APPLIES

1. Rock Road to Barn Lane
2. Rock Road to Richmond Road
3. Richmond Road to Barn Lane
4. Ulverley Green Road to Castle Lane
5. Ulverley Terrace to Reservoir Road
6. Hillside Croft to Rangoon Road
7. Wellsford Avenue to Coventry Road
8. Elkstone Close to Evenlode Road
9. The Dell to Summerfield Road
10. The Dell to Arundel Crescent
11. Rangoon Road to Borough Boundary
12. Victor Road to Rangoon Road
13. Elmdon Close to Elmdon Park Road
14. Elmdon Close to Fallowfield Road
15. Campden Green to Lyndon Road
16. Arnold Grove to Olton Road.

GIVEN under the Seal of the Solihull Borough Council this 21st day of May 1955.

THE COMMON SEAL OF THE MAYOR  
ALDERMEN AND BURGESSES OF THE  
BOROUGH OF SOLIHULL was hereunto  
affixed in the presence of -



W.MAURICE MELL  
Town Clerk



I hereby confirm the foregoing byelaws and fix the date  
on which they are to come into operation as the date  
hereof.

G.LLOYD-GEORGE  
One of Her Majesty's Principal  
Secretaries of State

WHITEHALL  
11th July, 1955.