

Curdridge Parish Council

BYELAWS FOR PLEASURE GROUNDS, PUBLIC WALKS AND OPEN SPACES

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SCHEDULE - Grounds to which byelaws apply generally

Byelaws made under [section 164 of the Public Health Act 1875/section 15 of the Open Spaces Act 1906/sections 12 and 15 of the Open Spaces Act 1906] by the Curdridge Parish Council with respect to pleasure grounds, public walks and open spaces.

[PART 1]

GENERAL

General Interpretation

1. In these byelaws:

“the Council” means Curdridge Parish Council;

“the ground” means any of the grounds listed in the Schedule;

“designated area” means an area in the ground which is set aside for a specified purpose, that area and its purpose to be indicated by notices placed in a conspicuous position;

“invalid carriage” means a vehicle, whether mechanically propelled or not,

- (a) the unladen weight of which does not exceed 150 kilograms,
- (b) the width of which does not exceed 0.85 metres, and
- (c) which has been constructed or adapted for use for the carriage of a person suffering from a disability, and used solely by such a person.

Application

2. These byelaws apply to all of the grounds listed in the Schedule 1 unless otherwise stated.

Opening times

3. (1) No person shall enter or remain in the ground except during opening hours.
- (2) “Opening hours” means the days and times during which the ground is open to the public and which are indicated by a notice placed in a conspicuous position at the entrance to the ground.

PART [2]

PROTECTION OF THE GROUND, ITS WILDLIFE AND THE PUBLIC

Protection of structures and plants

4. (1) No person shall without reasonable excuse remove from or displace within the ground:
 - (a) any barrier, post, seat or implement, or any part of a structure or ornament provided for use in the laying out or maintenance of the ground; or
 - (b) any stone, soil or turf or the whole or any part of any plant, shrub or tree.
- (2) No person shall walk on or ride, drive or station a horse or any vehicle over:
 - (a) any flower bed, shrub or plant;
 - (b) any ground in the course of preparation as a flower bed or for the growth of any tree, shrub or plant; or
 - (c) any part of the ground set aside by the Council for the renovation of turf or for other landscaping purposes and indicated by a notice conspicuously displayed.

Unauthorised erection of structures

5. No person shall without the consent of the Council erect any barrier, post, ride or swing, building or any other structure.

Climbing

6. No person shall without reasonable excuse climb any wall or fence in or enclosing the ground, or any tree, or any barrier, railing, post or other structure.

Grazing

7. No person shall without the consent of the Council turn out or permit any animal for which he is responsible to graze in the ground.

Protection of wildlife

8. No person shall kill, injure, take or disturb any animal, or engage in hunting or shooting or the setting of traps or the laying of snares.

Gates

9. (1) No person shall leave open any gate to which this byelaw applies and which he has opened or caused to be opened.
- (2) Byelaw 9(1) applies to any gate to which is attached, or near to which is displayed, a conspicuous notice stating that leaving the gate open is prohibited.

Camping

10. No person shall without the consent of the Council erect a tent or use a vehicle, caravan or any other structure for the purpose of camping.

Fires

11. (1) No person shall light a fire or place, throw or drop a lighted match or any other thing likely to cause a fire.
- (2) Byelaw 11(1) shall not apply to:
- [(a)] the lighting of a fire at any event for which the Council has given permission that fires may be lit; or
 - [(b)] the lighting or use, in such a manner as to safeguard against damage or danger to any person, of a properly constructed camping stove, in a designated area for camping, or of a properly constructed barbecue, in a designated area for barbecues.

Interference with life-saving equipment

12. No person shall except in case of emergency remove from or displace within the ground or otherwise tamper with any life-saving appliance provided by the Council.

PART [3]

HORSES, CYCLES AND VEHICLES

Interpretation of Part [3]

13. In this Part:

“designated route” means a route in or through the ground which is set aside for a specified purpose, its route and that purpose to be indicated by notices placed in a conspicuous position;

“motor cycle” means a mechanically-propelled vehicle, not being an invalid carriage, with less than four wheels and the weight of which does not exceed 410 kilograms;

“motor vehicle” means any mechanically-propelled vehicle other than a motor cycle or an invalid carriage;

“trailer” means a vehicle drawn by a motor vehicle and includes a caravan.

Horses

14. No person shall ride a horse in the ground in such a manner as to cause danger to any other person.

Cycling

15. No person shall without reasonable excuse ride a cycle in the ground except in any part of the ground where there is a right of way for cycles.

Motor vehicles

16. No person shall without reasonable excuse bring into or drive in the ground a motor cycle, motor vehicle or trailer except in any part of the ground where there is a right of way for that class of vehicle.

Overnight parking

17. No person shall without the consent of the Council leave or cause or permit to be left any motor vehicle or trailer in the ground between the hours of 12.01 a.m. and 6 a.m.

PART [4]

PLAY AREAS, GAMES AND SPORTS

Interpretation of Part [4]

18. In this Part:

“ball games” means any game involving throwing, catching, kicking, batting or running with any ball or other object designed for throwing and catching, but does not include cricket;

“golf course” means any area within the ground set aside for the purposes of playing golf and includes any golf driving range, golf practice area or putting course;

“self-propelled vehicle” means a vehicle other than a cycle, invalid carriage or pram which is propelled by the weight or force of one or more persons skating, sliding or riding on the vehicle or by one or more persons pulling or pushing the vehicle.

Children’s play areas

19. No person aged 14 years or over shall enter or remain in a designated area which is a children’s play area unless in charge of a child under the age of 14 years.

Children’s play apparatus

20. No person aged 14 years or over shall use any apparatus stated to be for the exclusive use of persons under the age of 14 years by a notice conspicuously displayed on or near the apparatus.

Skateboarding, etc

21. No person shall skate, slide or ride on rollers, skateboards or other self-propelled vehicles in such a manner as to cause danger or give reasonable grounds for annoyance to other persons.

Ball games

22. No person shall play ball games outside a designated area for playing ball games in such a manner:
- (a) as to exclude persons not playing ball games from use of that part;
 - (b) as to cause danger or give reasonable grounds for annoyance to any other person in the ground; or
 - (c) which is likely to cause damage to any tree, shrub or plant in the ground.

Cricket

23. No person shall throw or strike a cricket ball with a bat except in a designated area for playing cricket.

Archery

24. No person shall engage in the sport of archery except in connection with an event organised by or held with the consent of the Council.

Field sports

25. No person shall throw or put any javelin, hammer, discus or shot except in connection with an event organised by or held with the consent of the Council.

Golf

26. No person shall drive, chip or pitch a hard golf ball.

PART [5]

WATERWAYS

Interpretation of Part [5]

27. In this Part:

“power-driven” means driven by the combustion of petrol vapour or other combustible substances;

“waterway” means any pond, pool, stream or other body of water and includes any fountain.

Bathing

28. No person shall without reasonable excuse bathe or swim in any waterway.

Ice skating

29. No person shall step onto or otherwise place their weight upon any frozen waterway.

Model boats

30. No person shall operate a power-driven model boat on any waterway.

Fishing

31. No person shall in any pond cast a net or line for the purpose of catching fish or other animals.

Blocking of watercourses

32. No person shall cause or permit the flow of any drain or watercourse in the ground to be obstructed, diverted, open or shut or otherwise move or operate any sluice or similar apparatus.

PART [6]

OTHER REGULATED ACTIVITIES

Aircraft, hang gliders and hot air balloons

33. No person shall except in case of emergency or with the consent of the Council take off from or land in the ground in an aircraft, helicopter, hang glider or hot air balloon.

Kites

34. No person shall fly any kite in such a manner as to cause danger or give reasonable grounds for annoyance to any other person.

Metal detectors

35. No person shall without the consent of the Council use any device designed or adapted for detecting or locating any metal or mineral in the ground.

PART [7]

MISCELLANEOUS

Obstruction

36. No person shall obstruct:
- (a) any officer of the Council in the proper execution of his duties;

- (b) any person carrying out an act which is necessary to the proper execution of any contract with the Council; or
- (c) any other person in the proper use of the ground.

Savings

- 37. (1) It shall not be an offence under these byelaws for an officer of the Council or any person acting in accordance with a contract with the Council to do anything necessary to the proper execution of his duty.
- (2) Nothing in or done under these byelaws shall in any respect prejudice or injuriously affect any public right of way through the ground, or the rights of any person acting lawfully by virtue of some estate, right or interest in, over or affecting the ground or any part of the ground.

Removal of offenders

- 38. Any person offending against any of these byelaws may be removed from the ground by an officer of the Council or a constable.

Penalty

- 39. Any person offending against any of these byelaws shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

SCHEDULE [1]

GROUNDS TO WHICH BYELAWS APPLY GENERALLY

The grounds referred to in byelaw [2] are:

Allotment/Recreation Ground, Botley Road, Curdridge;

Glebe Field, Botley Road, Curdridge;

Village Pound, Botley Road, Curdridge;

Village Pond, Botley Road, Curdridge

SCHEDULE [2]

OTHER GROUNDS REFERRED TO IN CERTAIN BYELAWS

The Reading Rooms (including the car park, cricket ground and Skinners Field), Reading Room Lane, Curdridge

PART [2]

NO CAMPING (BYELAW [10])

PART [3]

NO OVERNIGHT PARKING (BYELAW [17])

SCHEDULE [3]

RULES FOR PLAYING BALL GAMES IN DESIGNATED AREAS (BYELAW [31])

Any person using a designated area for playing ball games is required by byelaw [31] to comply with the following rules:

- (1) No person shall play any game other than those ball games for which the designated area has been set aside.
- (2) No person shall obstruct any other person who is playing in accordance with these rules.
- (3) Where exclusive use of the designated area has been granted to a person or group of persons by the Council for a specified period, no other person shall play in that area during that period.
- (4) Subject to paragraph (5), where the designated area is already in use by any person, any other person wishing to play in that area must seek their permission to do so.
- (5) Except where they have been granted exclusive use of the designated area for more than two hours by the Council, any person using that area shall vacate it if they have

played continuously for two hours or more and any other person wishes to use that area.

- (6) No person shall play in the designated area when a notice has been placed in a conspicuous position by the Council prohibiting play in that area.

Given under our hands and seals this Fifteenth day of May 2014



Kristen Bondell
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Members of the Curdridge Parish Council.

The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into operation one calendar month after the date of confirmation

Signed by authority of the Secretary of State

P. Rowsell

Paul Rowsell

A senior civil servant in the Department for Communities and Local Government

Date: *19 January 2015*

