

# WARBOYS PARISH COUNCIL

## Byelaws for pleasure grounds, public walks and open spaces

### ORCHARD CLOSE PLAYGROUND

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Byelaws made under sections 12 and 15 of the Open Spaces Act 1906 by the Council of Warboys with respect to Orchard Close Playground, Warboys.

PART 1

GENERAL

**General Interpretation**

1. In these byelaws:

“the Council” means the Council of Warboys;

“the ground” means the Orchard Close Playground, Warboys;

“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, being a person suffering from a disability, and used solely by such a person.

### **Application**

- 2. These byelaws apply to Orchard Close Playground, Warboys.

### **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 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 other structure.

#### **Grazing**

- 6. 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**

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

### **Gates**

- 8(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 8(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**

9. 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**

- 10(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 10(1) shall not apply to any event at which the Council has given permission that fires may be lit.

### **Missiles**

11. No person shall throw or use any device to propel or discharge in the ground any object which is liable to cause injury to any other person.

## **PART 3**

### **HORSES, CYCLES AND VEHICLES**

#### **Interpretation of Part 3**

12. In this Part:

“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 a mechanically propelled vehicle other than a motor cycle or invalid carriage;

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

### **Horses**

- 13(1) No person shall ride a horse in the ground except in the exercise of a lawful right or privilege.
- (2) In any part of the ground where horseriding is permitted by virtue of a lawful right or privilege, no person shall ride a horse in such a manner as to cause danger to any other person.

### **Cycling**

14. 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**

15. 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**

16. No person shall without the consent of the Council leave or cause or permit to be left any motor cycle, motor vehicle or trailer in the ground between the hours of 12 midnight and 6 a.m.

## **PART 4**

### **PLAY AREAS, GAMES AND SPORTS**

#### **Interpretation of Part 4**

17. 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;

“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**

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

#### **Children’s play apparatus**

19. 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.**

20. 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**

21. No person shall play ball games in the ground.

### **Cricket**

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

### **Archery**

23. 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**

24. 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**

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

## **PART 5**

### **MODEL AIRCRAFT**

#### **Interpretation of Part 5**

26. In this Part -

“model aircraft” means an aircraft which weighs not more than 7 kilograms without its fuel;

“power-driven” means driven by –

- (a) the combustion of petrol vapour or other combustible substances;

- (b) by jet propulsion or by means of a rocket, other than by means of a small reaction motor powered by a solid fuel pellet not exceeding 2.54 centimetres in length;

“radio-control” means control by a radio signal from a wireless transmitter or similar device.

### **General prohibition**

- 27. No person shall cause any power-driven model aircraft to –
  - (a) take off or otherwise be released for flight, or control the flight of such an aircraft in the ground; or.
  - (b) land in the ground without reasonable excuse.

## **PART 6**

### **OTHER REGULATED ACTIVITIES**

#### **Trading**

- 28. No person shall without the consent of the Council provide or offer to provide any service for which a charge is made.

#### **Excessive noise**

- 29(1) No person shall, after being requested to desist by any other person in the ground:
  - (a) by shouting or singing;
  - (b) by playing on a musical instrument; or
  - (c) by operating or permitting to be operated any radio, amplifier, tape recorder or similar device;

make or permit to be made any noise which is so loud or so continuous or repeated as to give reasonable cause for annoyance to other persons in the ground.

- (2) Byelaw 29(1) does not apply to any person holding or taking part in any entertainment held with the consent of the Council.

#### **Public shows and performances**

- 30. No person shall without the consent of the Council hold or take part in any public show or performance.

### **Aircraft, hang-gliders and hot-air balloons**

31. 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**

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

### **Metal detectors**

33. 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**

34. No person shall:
- (a) obstruct any officer of the Council in the proper execution of his duties;
  - (b) obstruct any person carrying out an act which is necessary to the proper execution of any contract with the Council; or
  - (c) obstruct any other person in the proper use of the ground.

#### **Savings**

35. 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.
36. 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**

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

**Penalty**

38. 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.

Given under our hands and seals this 8th day of December 2003.

(Signed)

L.S.

Douglas Laurence Crane

(Signed)

L.S.

John George Rignall

Members of Warboys Parish Council

The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into operation on the 28th day of June 2004.

Signed by authority of the Secretary of State

P Rowsell

Senior Civil Servant in the Office of the Deputy Prime Minister

28th May 2004

London SW1E 5DU.

It is hereby certified that this is a true copy of the byelaws as confirmed.

R Reeves,

Clerk to Warboys Parish Council

3rd July 2004.

