

Parish Council of Hellingly

**BYELAWS FOR PLEASURE GROUNDS, PUBLIC
WALKS AND OPEN SPACES**

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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 *Hellingly Parish Council* with respect to pleasure grounds, public walks and open spaces.

[PART 1] GENERAL

General Interpretation

1. In these byelaws:

“the Council” means *Hellingly Parish Council*

“the ground” means any of the grounds listed in Schedule 1;

“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.

Gender

Any reference in these Byelaws to gender shall apply to both the male and female

Application

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

PART [2]

PROTECTION OF THE GROUND, ITS WILDLIFE AND THE PUBLIC

Protection of structures and plants

3. (1) No person shall 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 cause damage to:
- (a) any flower bed, shrub, plant or natural vegetation;
 - (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

4. No person shall without the consent of the Council erect any barrier, post, ride or swing, building whether temporary or not, or any other structure.

Climbing

5. 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

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 the laying of snares.

Gates

8. No person shall leave open any gate which he has opened or caused to be opened.

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 (1) shall not apply to the lighting of a fire at any event for which the Council has given permission that fires may be lit
- (3) The use of barbecues is prohibited.

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.

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. Horses or ponies are prohibited within the grounds to which this byelaw refers

Cycling

15. Cycles shall be ridden with due care and consideration in order to avoid nuisance or dangers to other users, or on a track designated for cycling.

Motor vehicles

16. No person shall bring into or drive in the ground a motor cycle, motor vehicle or trailer except by permission of the Council or in areas of Lower Horsebridge recreation ground customarily used by members of Hellingly Bowls Club and Hellingly Sports Club.

Overnight parking

17. No person shall without the consent of the Council leave or cause or permit to be left any motor vehicle in the ground between the hours of 11 p.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;

“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 16 years or over shall use any apparatus stated to be for the exclusive use of persons under the age of 16 years by a notice conspicuously displayed on or near the apparatus.

Ball games

21. It is an offence for any person using a designated area for playing ball games to break any of the rules set out in Schedule [2] and conspicuously displayed on a sign in the designated area.

Archery

22. No person shall engage in the sport of archery.

Field sports

23. 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

24. No person shall drive, chip or pitch a hard golf ball or use any golf club for any purpose

PART [5]

WATERWAYS

Interpretation of Part [5]

25. In this Part:

“boat” means any yacht, motor boat or similar craft but not a model or toy boat;

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

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

Bathing

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

Ice skating

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

Model boats

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

Boats

29. No person shall sail or operate any boat, dinghy, canoe, sailboard or inflatable on any waterway without the consent of the Council

Fishing

30. No person shall in any waterway cast a net or line for the purpose of catching fish or other animals without a valid licence issued by Hellingly Parish Council

Blocking of watercourses

31. 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]

MODEL AIRCRAFT

Interpretation of Part [6]

32. In this Part:

“power-driven” means driven by:

- (a) the combustion of petrol vapour or other combustible substances;
- (b) 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; or
- (c) one or more electric motors or by compressed gas.

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

General prohibition

33. No person shall operate any power-driven model aircraft

PART [7]

OTHER REGULATED ACTIVITIES

Provision of services and sale of goods

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

Excessive noise

35. (1) No person shall, after being requested to desist by any other person in the ground, 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 by:

- (a) shouting or singing;
- (b) playing on a musical instrument; or
- (c) by operating or permitting to be operated any radio, amplifier, tape recorder or similar device.

(2) Byelaw 35(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

36. No person shall without the consent of the Council hold or take part in any public show, organised gathering or performance.

Aircraft, hang gliders and hot air balloons

37. 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

38. 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

39. 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 [8]

MISCELLANEOUS

Obstruction

40. No person shall obstruct:
- (a) any officer of the Council in the proper execution of their 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

41. (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

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

Penalty

43. 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.

SCHEDULES

SCHEDULE [1]

GROUNDS TO WHICH BYELAWS APPLY [GENERALLY]

The grounds referred to in byelaw 2 are:

Lower Horsebridge Recreation Ground

Lower Dicker Recreation Ground and

Hellingly Country Park

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SCHEDULE [2]

RULES FOR PLAYING BALL GAMES IN DESIGNATED AREAS (BYELAW [21])

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 obstruct or interfere with any other person who is playing in accordance with these rules.
- (2) 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.
- (3) 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.
- (4) 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.
- (5) 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 twelfth day of
February 2014

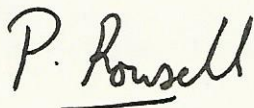
(Signed)  (Seal)

(Signed)  (Seal)

Members of Hellingly 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



Paul Rowsell

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

11 September 2014