

# **BRAISHFIELD PARISH COUNCIL**

## **DRAFT BYELAWS FOR *BRAISHFIELD RECREATION GROUND-***

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SCHEDULE - Rules for playing ball games in designated areas

Byelaws made under section 164 of the Public Health Act 1875 by the Braishfield Parish Council with respect to Braishfield Recreation Ground

## **PART 1 GENERAL**

### **General Interpretation**

1. In these byelaws:

“the Council” means Braishfield Parish Council

“the ground” means Braishfield Recreation Ground (including the parking area and playground

“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, 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 Braishfield Recreation Ground

## **PART 2**

### **PROTECTION OF THE GROUND, ITS WILDLIFE AND THE PUBLIC**

#### **Interpretation of Part 2**

In this Part:

“Sky lantern” means any unmanned device which relies on an open flame or other heat source to heat air within it with the intention of causing it to lift into the atmosphere

#### **Protection of structures and plants**

3. 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.

### **Unauthorised erection of structures**

4. No person shall without the consent of the Council erect any barrier, post, ride or swing, building 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 (save the structures constructed for the purpose).

### **Grazing**

6. No person shall without the consent of the Council turn out or permit any animal for which they are 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. (1) No person shall leave open any gate to which this byelaw applies and which that person has opened or caused to be opened.

(2) Byelaw 10(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:  
(a) light a fire; or  
(b) place, throw or drop a lighted match or any other thing likely to cause a fire; or  
(c) release a lighted sky lantern into the atmosphere.

(2) Byelaw (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, with the consent of the Council, in such a manner as to safeguard against damage or danger to *the ground* or any person, of a properly constructed camping stove, or of a properly constructed barbecue,

### **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

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

##### *Horse riding permitted*

12. No person shall ride a horse in the parking area in such a manner as to cause danger to any other person.

##### *Horse riding prohibited except on designated route (subject to bridleway, etc)*

13. (1) No person shall, without the consent of the Council, ride a horse except:

- (a) on the parking area; or
- (b) in the exercise of a lawful right or privilege.

(2) Where horse-riding is permitted by virtue of byelaw 13(1)(a) or 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 cycle on any part of the ground in such a manner as to cause danger or give reasonable grounds for annoyance to other persons using the ground

#### Motor vehicles

15. No person shall without reasonable excuse or the consent of the Council bring into or drive in the ground a motor cycle, motor vehicle or trailer except in the parking area

## **Overnight parking**

16. 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 midnight and 6 a.m.

## **PART 4**

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

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

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**

17. No person aged 14 years or over shall enter or remain in a designated area which is a children’s play area unless carrying out inspection, repair or maintenance work or in charge of a child under the age of 14 years.

#### **Children’s play apparatus**

18. 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**

*Skateboarding, etc permitted but must not cause danger or annoyance*

19. 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**

*Ball games permitted only in designated areas*

20. No person shall play ball games in the ground except *in the grassed area*.

*Rules (to be used with byelaw 20)*

21. It is an offence for any person using the *grassed* area for playing ball games to break any of the rules set out in the Schedule and conspicuously displayed on a sign in the *grassed* area when asked by any person to desist from breaking those rules.

### **Archery**

22. 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**

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**

#### *Golf prohibited*

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

## **PART 5**

### **MODEL AIRCRAFT**

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

In this Part:

“model aircraft” means an unmanned aircraft or drone

“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**

25. Save for drones flown only for recreational or play purposes 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) fly over or land in the ground without reasonable excuse.

## PART 6

### OTHER REGULATED ACTIVITIES

#### Provision of services

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

#### Excessive noise

27. (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 28(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

28. 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

29. 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

30. 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

31. 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.

#### Dogs

32. Any person in charge of a dog which fouls the ground shall immediately remove the faeces and deposit them in the bins provided for that purpose. Dogs must not enter the children's play area.



## PART 7

### MISCELLANEOUS

#### Obstruction

33. 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

34. (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 their 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

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

#### Penalty

36. 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

### **RULES FOR PLAYING BALL GAMES IN DESIGNATED AREAS (BYELAW 21)**

Any person using a designated area for playing ball games is required by byelaw 21 to comply with the following rules:

- (1) No person shall obstruct any other person who is playing in accordance with these rules.
- (2) Where exclusive use of the grassed 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.

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