

Offham Parish Council

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

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Byelaws made under section 15 of the Open Spaces Act 1906 by Offham Parish Council with respect to The Village Green, Offham

PART 1 GENERAL

General Interpretation

1. In these byelaws:

“the Council” means Offham Parish Council;

“the ground” means The Village Green, including The Pound;

“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 The Village Green, Offham, including The Pound

PART 2

PROTECTION OF THE GROUND, ITS WILDLIFE AND THE PUBLIC

Protection of structures and plants

3. (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

- 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.

Camping

- 6. 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

- 7. (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 7(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;

Missiles

- 8. 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

- 9. 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 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

10. (1) No person shall ride a horse except in the exercise of a lawful right or privilege.
- (2) Where horse-riding is permitted by virtue of a lawful right or privilege, no person shall ride a horse in such a manner as to cause danger or reasonable annoyance to any other person.

Cycling

11. No person shall ride a cycle in the ground in such a manner as to cause danger or reasonable annoyance to any other person.

Motor vehicles

12. 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 or permission that has been granted by the Parish Council.

PART 4

GAMES AND SPORTS

Cricket

13. No person shall throw or strike a cricket ball with a bat

Golf

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

PART 6

MODEL AIRCRAFT

Interpretation of Part 6

15. 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) 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

- 16. 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 7

OTHER REGULATED ACTIVITIES

Provision of services

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

Excessive noise

- 18. (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 18(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

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

Kites

- 20. No person shall fly any kite in such a manner as to cause danger or reasonable annoyance to any other person.

Metal detectors

- 21. 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

22. 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

23. (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

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

Penalty

25. 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.

Revocation

26. The byelaws made by Offham Parish Council on 21st April 1975 and confirmed by The Secretary of State on 5th August 1975 relating to the ground are hereby revoked.

Given under our hands and seals this 4th day of March 2014


Members of Offham 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

Date: 26 June 2014.