

Lawford Parish Council

BYELAWS FOR PLEASURE GROUNDS, PUBLIC WALKS AND OPEN SPACES

Byelaws made under section 164 of the Public Health Act 1875 and sections 12 and 15 of the Open Spaces Act 1906 by the Lawford Parish Council with respect to the following areas: School Lane Playing Field, Riverview Playing Field, Waldegrave Way Playing Field, Summers Park, Lawford Green and Owls Flight Dell.

PART 1

INTERPRETATION AND APPLICATION

Interpretation

1. In these byelaws:

“the Council” means Lawford 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.

“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.

“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;

“e-scooter” means a mechanically-propelled vehicle with two wheels, fitted with an electric motor, not fitted with pedals capable of propelling the vehicle, and the unladen weight of which does not exceed 55 kilograms;

“motor cycle” means a mechanically-propelled vehicle, not being an e scooter or an invalid carriage, with less than four wheels;

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

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

“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.

“model aircraft” means;

- (a) a power-driven aircraft which either weighs between 250 grams and 7 kilograms without its fuel or
- (b) a power-driven aircraft which weighs more than 7 kilograms and up to 20 kilograms without its fuel and is regulated by the Air Navigation Order, Clause 87 or
- (c) a power-driven aircraft which weighs over 20 kilograms without its fuel and which is exempt from the Air Navigation Order.

“power-driven” means driven by the combustion of petrol vapour or other combustible vapour or other combustible and subject to the Code of Practice on Noise from Model Aircraft 1982.

“radio-controlled” means controlled by a radio signal from a wireless transmitter or similar device;

The “Noise Code” means the Code of Practice issued by the Department of the Environment in pursuance of the approval given by the Control of Noise (Code of Practice on Noise from Model Aircraft) Order 1981.

Application

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

PART 2

PROTECTION OF THE GROUND, ITS WILDLIFE AND THE PUBLIC

Protection of structures and plants

1. (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

- 2 No person shall without the consent of the Council erect any barrier, post, ride or swing, building or any other structure on the ground

Climbing

3. 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

4. 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

5. 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 within the ground.

Gates

6. (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 6(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

7. 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 on the ground.

Fires

8. No person shall without the consent of the parish council:
- (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; or
 - (d) light a barbeque unless it is at a council agreed event on the ground.

Missiles

9. No person shall without the consent of the parish council;
- (a) throw or use any device to propel or discharge in the ground any object which is liable to cause injury to any other person; or
 - (b) set off a firework within the grounds.

Interference with life-saving equipment

10. 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 or any organisation given permission to by the council.

PART 3

HORSES, CYCLES AND VEHICLES

Horses

11. (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 to any other person.

Cycling and Electric Scooters.

12. a) No person shall without reasonable excuse or the consent of the council ride a cycle in the ground except in any part of the ground where there is a right of way for cycles
- b) No person shall without reasonable excuse or the consent of the council ride an electric scooter in the

grounds.

Motor vehicles

- 13 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 any part of the ground where there is a right of way for that class of vehicle.

Overnight parking

- 14 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 10 p.m. and 6 a.m. unless otherwise stated on a notice.

PART 4

PLAY AREAS, GAMES AND SPORTS

Children's play areas

- 15 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

- 16 No person over a specified age shall use any apparatus stated to be for the exclusive use of persons under the specified age by a notice conspicuously displayed on or near the apparatus. No person over the age limit stated shall use any of the apparatus that specifically states an age limit.

Skateboarding, etc

- 17 No person shall use a self-propelled vehicle on the ground without the consent of the council or reasonable excuse.

Ball games

- 18 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; or
 - (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.
- 19 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 when asked by any person to desist from breaking those rules.

Archery

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

Field sports

- 21 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 within the ground.

Golf

22 No person shall drive, chip, putt or pitch a hard golf ball within the grounds.

PART 6

MODEL AIRCRAFT

Use Permitted if Under Control

23. No person without the consent of the council shall.
- (a) release any power-driven model aircraft for flight or control the flight of such an aircraft; or
 - (b) cause any such aircraft to take off or land on the ground.

PART 7

OTHER REGULATED ACTIVITIES

Provision of services

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

Excessive noise

- 25 (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 25(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

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

Aircraft, Hang Gliders, Paracenders, Drones and Hot Air balloons

- 27 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, paracender, hot air balloon or operate a drone.

Kites

- 28 No person shall fly any kite in such a manner as to cause danger or give reasonable grounds for annoyance to any other person within the boundaries of the ground.

Metal detectors

- 29 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.

Remote Controlled Operated Model Vehicles

30. No person shall use a remote controlled operated model vehicle without prior written consent of the Council.

PART 8

MISCELLANEOUS

Obstruction

31. 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

- 32 (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

33 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

34 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.

Application to use a site listed in schedule 1

35 Any person or group who wish to use any site listed in Schedule 1 for an event must do by written request to Lawford Parish Council only, any claimed verbal agreement and no written consent from the council will not be considered and that person or group will be asked to leave the site.

36 The byelaws made by the Lawford Parish Council on 8 July 2009 and confirmed by the Secretary of State on 28 July 2009 of confirmation relating to the ground are hereby revoked.

SCHEDULES

SCHEDULE 1

GROUNDS TO WHICH BYELAWS APPLY

The grounds referred to in these byelaws are:

- (1) School Lane Playing Field, Lawford, Manningtree, Essex including the car-parks.
- (2) Riverview Playing Field, Colchester Road, Lawford, Manningtree, Essex including the car-park.
- (3) Waldergrave Way Playing Field, Lawford, Manningtree, Essex.
- (4) Summers Park Playing Field, Lawford, Manningtree, Essex.
- (5) Lawford Green Playing Field, Bromley Road, Lawford, Manningtree, Essex including the car park by the Primary School, associated amenity space and play area No 1 (by school) and play area 2.
- (6) Owls Flight Dell, Cox's Hill, Lawford, Manningtree, Essex

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 [21] 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.

Written May 2020 updated November 2021 Updated Feb 2023

Trail

Sent to Bye-laws team 21/1/2022

Reply back 20/2/2023

Amended 24/2/2023 (Last section in Part 1)

10/3/2023 Put onto web-site and facebook for any comments non received 27/3/2023

Sent to football club 15/3/2023 no comments received 27/3/2023.

Last amended 12/4/2023.

1/5/2023 Now to be sent for authorization.