

BRADENHAM PARISH COUNCIL

BYELAWS FOR PLEASURE GROUNDS, PUBLIC WALKS AND OPEN SPACES

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Byelaws made under sections 12 and 15 of the Open Spaces Act 1906 by the Bradenham Parish Council with respect to Bradenham Village Green.

**PART 1
GENERAL**

General Interpretation

- 1. In these byelaws:
 - “the Council” means Bradenham Parish Council;
 - “the ground” means Bradenham Village Green, Play Ground and Car Park;
 - “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.

Application

2. These byelaws apply to Bradenham Village Green, Play Ground and Car Park

PART 2

PROTECTION OF THE GROUND, ITS WILDLIFE AND THE PUBLIC

Protection of the ground, 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 carelessly or negligently deface, injure or destroy any wall, fence, building, railing, post, seat or any erection on the ground.
- (3) No person shall affix any sign, bill, placard or notice to or upon any tree, to or upon any building, seat or other erection on the ground without the consent of the Council.
- (4) No person shall drive or station a horse or any vehicle over any part of the ground without the consent of the Council or during the Annual Bradenham Fete and Sports Day.

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 except for the designated play equipment.

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 on the ground, unless it is under the direction of the Council.

Camping

8. 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

9. No person shall light a fire or place, throw or drop a lighted match or any other thing likely to cause a fire, unless it is under the direction of the Council.

Missiles

10. 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, unless part of a game under the direction of the Council.

Interference with life-saving equipment

11. 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

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 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

13. No person shall without the consent of the Council ride a horse on the ground.

Cycling

14. No person shall without reasonable excuse ride a cycle on the ground.

Motor vehicles

15. No person shall without the consent of the Council bring into or drive on the ground a motor cycle, motor scooter, Segway (or similar vehicle), motor vehicle or trailer.

Overnight parking

16. No person shall without the consent of the Council leave or cause or permit to be left any motor vehicle on the ground between the hours of 10 p.m. 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 the designated fenced play area, which is a children's play area, unless in charge of a child under the age of 12 years.

Children's play apparatus

19. No person aged 12 years or over shall use any of the apparatus inside the fenced play area and no person under the age of 12 shall use the play equipment outside the fenced play area.

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, damage or give reasonable grounds for annoyance to other persons.

Ball games

21. No person shall play ball games in such a manner:
- (a) as to cause any damage to the cricket square or sight screens; or
 - (b) as to cause danger or give reasonable grounds for annoyance to any other person on the ground; or
 - (c) which is likely to cause damage to any tree, shrub or plant in the ground; or
 - (d) which is likely to cause damage to any building on the ground.

Cricket

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

PART 5 WATERWAYS

Interpretation of Part 5

26. In this Part:
"waterway" means any ditch or body of water on the ground.

Pollution

27. No person shall foul or pollute any waterway.

Blocking of watercourses

28. No person shall cause or permit the flow of any drain or watercourse in the ground to be obstructed, diverted, opened or shut.

PART 6 MODEL AIRCRAFT

Interpretation of Part 6

29. In this Part:

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

“drone” means an unmanned aerial vehicle;

“power-driven” means driven by:

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

30. No person shall cause any power-driven model aircraft or drone 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

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

Excessive noise

32. (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 32 (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

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

Dogs

34. (1) No person shall permit a dog to cause a nuisance to any person on the ground.
(2) Any person walking a dog on the ground shall be responsible for clearing any dog mess and depositing it, in a suitable plastic bag, within the receptacle provided on the edge of the ground.

Aircraft, hang gliders and hot air balloons

35. 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

36. 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

37. 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

38. 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

39. (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

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

Penalty

41. Any person offending against any of these byelaws shall be liable on summary conviction to a fine not exceeding level 2 on the UK standard scale.

Revocation

42. The byelaws made by Bradenham Parish Council on 10th November 1965 and confirmed by The Secretary of State on the 28th January 1966 relating to the ground are hereby revoked.

The Secretary of State for The Department for Levelling Up, Housing and Communities approved these Byelaws on the 13th November 2023.

Signed under the Seal of Bradenham Parish Council on the 5th March 2024



5ⁿ March 2024



Signed and dated by Christian Allhusen



5.3.2024

Signed and dated by Teresa Frost

Members of Bradenham Parish Council