

WEST WINCH PARISH COUNCIL

PARISH RULES FOR PLEASURE GROUNDS, PUBLIC WALKS AND OPEN SPACES

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PART 1

GENERAL

General Interpretation

1. West Winch Parish Council has adopted 'Parish Rules' in lieu of Byelaws. These rules apply in respect to pleasure grounds, public walks and open spaces owned wholly by the Council. These rules are deemed to be enforceable under section 164 of the Public Health Act 1975 and section 12 - 15 of the Open Spaces Act 1906.

In these Rules:

“the Council” means West Winch Parish Council

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

“designated area” means an area in the grounds which is set aside for a specified purpose.

“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

Schedule 1. All land, property and fixings owned wholly by the Council.

Schedule 2. Rules for playing of Ball Games.

PART 2

PROTECTION OF THE GROUNDS, ITS WILDLIFE AND THE PUBLIC

Protection of structures, grounds 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.

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. (1) 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.

- (2) The Council may at its discretion authorise the culling of any animal or vermin seen to be damaging the grounds or its fixtures. These operations are to be carried out only by proficient and qualified personnel under the strict control and 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 and Fireworks

9. (1) No person shall light a fire, firework or place, throw or drop a lighted match or any other thing likely to cause a fire.

(2) The lighting of a fire or firework at any event for which the Council has given permission then 9. (1) does not apply.

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.

PART 3

HORSES AND VEHICLES

Horses

11. (1) No person shall ride a horse on any land owned by the Council.

Cycling

12. No person shall without reasonable excuse ride a cycle in the grounds except in any part of the grounds where there is a right of way for cycles.

Riding of BMX stunt cycles is permitted only in the Skateboard area. Riding of cycles in the children's play area is strictly forbidden.

Motor Vehicles – electrical and fuel powered

13. No person shall without reasonable excuse bring into or drive on any area of unpaved ground a motor cycle, motor vehicle or trailer except with the sole

permission of the Council. This includes children’s mopeds and motorised vehicles.

No person shall drive or ride on the William Burt Complex car park without full insurance.

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 overnight

PART 4

PLAY AREAS, GAMES AND SPORTS

Interpretation of Part 4

15. 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; football, tennis or basketball

“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.

Children’s play areas

16. No person aged 12 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 12 years.

Children’s play apparatus

17. No person aged 12 years or over shall use any apparatus stated to be for the exclusive use of persons under the age of 12 years by a notice conspicuously displayed on or near the apparatus.

Skateboarding, etc

18. (1) No person shall skate, slide or ride on rollers, skateboards or other self-propelled vehicles except in a designated area for such activities.
- (2) Where there is a designated area for skating, sliding or riding on rollers, skateboards or other self-propelled vehicles, no person shall engage in those activities in such a manner as to cause danger or give reasonable grounds for annoyance to other persons.

Ball games

19. Ball games are only permitted to be played in designated areas. Ball games are not permitted on the William Burt Complex car park

Ball game rules

20. 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;
 - (b) as to cause danger or give reasonable grounds for annoyance to any other person in the grounds; or
 - (c) which is likely to cause damage to any tree, shrub, plant, vehicle or property in the ground.

It is an offence for any person using a designated area for playing ball games to break any of the rules set out.

Cricket

21. No person shall throw or strike a cricket ball with a bat except in a designated area for playing cricket.

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

24. No person shall drive, chip or pitch a hard golf ball on Council owned land.

PART 5

MODEL AIRCRAFT AND DRONES

25. No person shall cause any model aircraft or drone to:
- (a) take off or otherwise be released for flight or control the flight of such an aircraft or drone in the grounds; or
 - (b) land in the ground without reasonable excuse.

Without the prior written approval of the Council.

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. Anyone wishing to use the field or car park for any one-off event shall get approval from the Council, in writing, and provide a copy of their full public liability insurance before the event takes place.

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) Para 22 (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.

PART 7

MISCELLANEOUS

Obstruction

32. 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

33. (1) It shall not be an offence under these Council rules 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 Council rules 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

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

Penalty

35. Any person offending against any of these Council rules shall be liable to prosecution.

Consumption of alcohol

36. Consumption of alcohol may only be permitted by permission of the Council.

Display, sale or use of drugs

37. The display, sale or drug taking is strictly prohibited by the Council.

SCHEDULE 1

ALL LAND, PROPERTY AND FIXINGS OWNED WHOLLY BY THE COUNCIL IS:

1. The Public Open Space is defined as the area of land or playing field which surrounds the William Burt Centre which includes the Children's' Play Area.
2. The Coronation Avenue Playing Field

3. All buildings and fixings sited on (1) and (2) which are owned by the Council.

SCHEDULE 2

GROUNDS TO WHICH COUNCIL RULES APPLY

RULES FOR PLAYING BALL GAMES IN DESIGNATED AREAS

Any person using a designated area for playing ball games is required 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.