

GEDLING BOROUGH COUNCIL
BYELAWS FOR PLEASURE GROUNDS, PUBLIC
WALKS AND OPEN SPACES

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Byelaws made under [section 164 of the Public Health Act 1875/section 15 of the Open Spaces Act 1906/sections 12 and 15 of the Open Spaces Act 1906] by the Gedling Borough Council with respect to pleasure grounds and open spaces listed in the Schedule 1.

PART 1 GENERAL

General Interpretation

1. In these byelaws:

Select from the following list only terms to be used in the byelaws which the Council proposes to adopt:

“the Council” means Gedling Borough 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.

Application

2. These byelaws apply to all of the grounds listed in Schedule 1 unless otherwise stated.

Opening times

3. (1) No person shall enter or remain in the ground except during opening hours.

- (2) "Opening hours" means the days and times during which the ground is open to the public and which are indicated by a notice placed in a conspicuous position at the entrance to the ground.

Where byelaw is to apply to more than one ground

- (3) Byelaw 3(1) applies only to the grounds listed in Part 1 of Schedule 2.

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

4. (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

5. No person shall without the consent of the Council erect any barrier, post, ride or swing, building or any other structure.

Climbing

6. 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

7. 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

8. 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.

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 [except in a designated area for 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, in such a manner as to safeguard against damage or danger to any person, of a properly constructed camping stove, in a designated area for camping, or of a properly constructed barbecue, in a designated area for barbecues].

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.

Interference with life-saving equipment

- 12 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]

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

- 13 (1) No person shall ride a horse except:
- (a) on a designated route for riding; or
 - (b) in the exercise of a lawful right or privilege.
- (2) Where horse-riding is permitted by virtue of byelaw 12 (1)(a) or (b) 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 without reasonable excuse ride a cycle in the ground except in any part of the ground where there is a right of way for cycles or on a designated route for cycling.

Motor vehicles

- 15 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 a designated route] for that class of vehicle.

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;

“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 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

- 17 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

- 18 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.

- 19 (1) No person shall skate, slide or ride on rollers, skateboards or other self-propelled vehicles except in a designated area for such activities. This bylaw applies to grounds listed in Part 2 of Schedule 2.

(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

- 20 No person shall play ball games in the ground. This bylaw applies to all of the grounds listed in Part 3 of schedule 2.

- 21 No person shall play ball games in the ground except in a designated area for playing ball games. The byelaw applies to all of the grounds listed in Part 4 of schedule 2

- 22 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 ground; or
- (c) which is likely to cause damage to any tree, shrub or plant in the ground.

- 23 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 [3] and conspicuously displayed

on a sign in the designated area when asked by any person to desist from breaking those rules.

Cricket

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

Archery

- 25 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

- 26 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 [or on land set aside by the Council for that purpose].

Golf

- 27 No person shall drive, chip or pitch a hard golf ball

PART 5

WATERWAYS

Interpretation of Part 5

In this Part:

“boat” means any yacht, motor boat or similar craft but not a model or toy boat;

“power-driven” means driven by the combustion of petrol vapour or other combustible substances;

“waterway” means any river, lake, pool or other body of water and includes any fountain.

Bathing

28 No person shall without reasonable excuse bathe or swim in any waterway.

Ice skating

29 No person shall step onto or otherwise place their weight upon any frozen waterway.

Model boats

30 No person shall operate a power-driven model boat on any waterway.

Boats

31 No person shall sail or operate any boat, [dinghy, canoe, sailboard or inflatable] on any waterway without the consent of the Council

Fishing

32 No person shall in any waterway cast a net or line for the purpose of catching fish or other animals.

Blocking of watercourses

33 No person shall cause or permit the flow of any drain or watercourse in the ground to be obstructed, diverted, open or shut or otherwise move or operate any sluice or similar apparatus.

PART 6
MODEL AIRCRAFT

Interpretation of Part 6

In this Part:

“model aircraft” means an unmanned 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

34 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

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

Excessive noise

- 36 (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 34 (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

- 37 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

- 38 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

- 39 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

- 40 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

- 41 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

- 42 (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

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

Penalty

- 44 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

- 45 The byelaws made by Gedling Borough Council on *insert date* and confirmed/approved by *insert name of confirming authority* on *insert date of confirmation* relating to the ground are hereby revoked.

SCHEDULES

SCHEDULE [1]

GROUNDS TO WHICH BYELAWS APPLY [GENERALLY]

The grounds referred to in byelaw 2 are:

Town and Name of Site	Location
ARNOLD	
Arno Vale Recreation Ground	Arno Vale Road
Arnot Hill Park	Nottingham Road
Bestwood Recreation Ground	Woodchurch Road
Calverton Road Reserve	Calverton Road
Church Lane Recreation Ground	Church Lane
Edison Way Recreation Open Space	Edison Way
Georgia Drive Open Space	Georgia Drive
Killisick Road Recreation Ground	Killisick Road
King George V Recreation Ground	Hallams Lane
Muirfield Road Recreation Ground	Muirfield Road
Nottingham Road Recreation Ground	Off George Street
Queens Bower Recreation Ground	Queens Bower Road
Salop Street Recreation Ground	Salop Street
CALVERTON	
Church Meadow Green Space	Church Meadow
Jumelles Drive Green Space	Jumelles Drive
Stonebridge Way Play Area	Stonebridge Way
CARLTON	
Albert Avenue Play Area & Garden for the Blind	Albert Avenue
Burton Road Jubilee Park	Burton Road
Carlton Forum Playing Fields	Coningswath Road
Carlton Hill Recreation Ground	Carlton Hill
Carnarvon Grove Play Area	Carnarvon Grove
Cavendish Road Recreation Ground	Cavendish Road
Conway Road Recreation Ground	Conway Road
Honeywood Gardens Recreation Area	Honeywood Gardens

King George V Recreation Ground	Standhill Road
Midland Woods	Oakdale Road
Onchan Park	Onchan Drive
Richard Herrod Playing Field	Foxhill Road
Valley Road Recreation Ground	Valley Road
COLWICK	
Colwick Rectory Recreation Ground	Mile End Road
Valeside Gardens Play Area	Valeside Gardens
Hotspur Drive Green Space	Hotspur Drive
GEDLING	
Adbolton Avenue Recreation Ground	Adbolton Avenue
Burton Pastures Open Space	Beaumaris Drive
College Road Recreation Open Space	College Road
Lambley Lane Recreation Ground (North)	Lambley Lane
Lambley Lane Recreation Ground (South)	Lambley Lane
Rutland Road Recreation Ground	Rutland Road
Willow Park	Jessops Lane/Willow Road
MAPPERLEY	
Haywood Road Green	Haywood Road
Mapperley Plains Play Area	Mapperley Plains/Arnold Lane
NETHERFIELD	
Jackie Bells Play Area	Victoria Road
Victoria Park Recreation Ground	Teale Close
Kingsley Drive Recreation Open Space	Kingsley Drive
Deabill Street Play Area	Deabill Street
NEWSTEAD	
Newstead Recreation Ground	Off Station Road
Newstead Tilford Road Youth Area	Tilford Road
WOODTHORPE	
Breckhill Recreation Ground	Breckhill Road
Thackerays Lane Recreation Ground	Thackery's Lane
Woodthorpe Library Green Space	Wensley Road

SCHEDULE 2
GROUNDS REFERRED TO IN CERTAIN BYELAWS

PART 1

OPENING TIMES (BYELAW 3(1))

Conway Road Recreation Ground	Conway Road, Carlton
King George V Recreation Ground	Hallams Lane, Arnold
Onchan Park	Onchan Drive, Carlton

PART 2

SKATEBOARDING ETC PERMITTED ONLY IN DESIGNATED
SKATEBOARD PARK AREA (BYELAW 19)

Lambley Lane Recreation Ground (North)	Burton Road Jubilee Park
Arnot Hill Park, Arnold	Jackie Bells Play Area, Netherfield
King George V Recreation Ground, Arnold	King George V Recreation Ground, Standhill Road, Carlton
Newstead Tilford Road Youth Area	William Lee Memorial Park, Calverton
Colwick Rectory Recreation Ground	

PART 3

PROHIBITION OF BALL GAMES (BYELAW 20)

Carnarvon Grove Play Area	Carnarvon Grove, Carlton
Edison Way Green Space	Edison Way, Arnold
Valeside Gardens	Valeside Gardens, Colwick

PART 4

BALL GAMES PERMITTED ONLY IN DESIGNATED AREAS (BYELAW 21)

Conway Road Recreation Ground	Conway Road, Carlton
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SCHEDULE [3]

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.