



PANGBOURNE PARISH COUNCIL

BYELAWS FOR PLEASURE GROUNDS, PUBLIC WALKS AND OPEN SPACES

Byelaws made by the Parish Council of Pangbourne under Section 164 of the Public Health Act, 1875 and Sections 12 & 15 of the Open Spaces Act, 1906 with respect to the Kennedy Drive Play Area (now known as Chiltern Walk Play area), Recreation Ground at Thames Avenue, the River Meadow, Pangbourne and all other public spaces owned by the Council.

PART 1 - GENERAL

1. General interpretation

In the Byelaws:

"the Council" means the Parish Council of Pangbourne;

"the ground" means Kennedy Drive Play Area (now known as Chiltern Walk Play area), Recreation Ground at Thames Avenue and the River Meadow, Pangbourne.

"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.

2. Application

These byelaws apply to all of the grounds listed in 1.

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

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.

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.

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 10(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.

Fires

8. (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;
 - (b) the lighting or use, in such a manner as to safeguard against damage or danger to any person, of a properly constructed barbecue, in a designated area for barbecues.

Missiles

9. 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.

Dogs

10. (1) All dogs must be on the lead
(2) If a dog fouls the ground the person with that dog must remove the fouling immediately and place it in the receptacles provided.

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 - 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.

Cycling

12. (1) No person shall without reasonable excuse ride a cycle in the ground except in any part of the part of the ground on a designated route for cycling.
(2) Outside the designated areas, no person shall cycle on any footway or carriageway in such a manner as to cause danger or give reasonable grounds for annoyance to other persons using the footway or carriageway.

Motor vehicles

13. (1) No person shall without reasonable excuse bring into or drive in the ground a motorcycle, motor vehicle or trailer except in any part of the ground where there is a designated route for that class of vehicle.
14. (2) Where there is a designated route for motorcycles, motor vehicles or trailers, it shall not be an offence under this byelaw to bring into or drive in the ground a vehicle of that class for the sole purpose of transporting it to the route.

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;

“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

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 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.

Ball games

17. 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.

Rules (to be used with byelaw 16 or 17)

18. 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

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

Archery

20. 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

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.

Golf

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

PART 5 - WATERWAYS

Interpretation of Part 5

In this Part:

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

Fishing

23. No person shall in any waterway cast a net or line for the purpose of catching fish or other animals except in a designated area for fishing.

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

24. 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

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

Excessive noise

26. (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 23(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

27. 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

28. 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

29. 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

30. (1) 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

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 constable.

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.

Revocation

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

Limited revocation to preserve byelaws relating to dogs

36. Byelaws *insert numbers of byelaws being revoked* made by *insert name* on *insert date* and confirmed by *insert name of confirming authority* on *insert date of confirmation* relating to the ground are hereby revoked.