

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

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SCHEDULE 1 - Grounds to which byelaws apply generally

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Byelaws made under section 164 of the Public Health Act 1875, section 15 of the Open Spaces Act 1906 and sections 12 and 15 of the Open Spaces Act 1906 by Spelthorne Borough Council with respect to pleasure grounds, public walks and open spaces.

PART 1 GENERAL

General Interpretation

1. In these byelaws:

“the Council” means Spelthorne 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.

PART 2

PROTECTION OF THE GROUND, ITS WILDLIFE AND THE PUBLIC

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 he is 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.

Gates

9. (1) No person shall leave open any gate to which this byelaw applies and which he has opened or caused to be opened.
- (2) Byelaw 9 (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

10. 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

11. (1) No person shall light a fire or place, throw or drop a lighted match or any other thing likely to cause a fire.
- (2) Byelaw 11(1) shall not apply to:
 - (a) the lighting of a fire or barbecue at any event for which the Council has given permission that fires or barbecues may be lit; or
 - (b) the lighting or use, in such a manner as to safeguard against damage or danger to any person, of
 - (i) a properly constructed camping stove or of a properly constructed barbecue, in a designated area for camping within that ground known as Laleham Park, or
 - (ii) of a properly constructed barbecue, in a designated area for barbecues.

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

13. 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

14. (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 14(1)(a) or a lawful right or privilege, no person shall ride a horse in such a manner as to cause danger to any other person.

Cycling

15. 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

16. (1) 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.
- (2) Where there is a designated route for motor cycles, 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

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;

“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, putting course or crazy golf area;

“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.

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.

Ball games

19. 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.

Ball games - Rules

20. 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.

Cricket

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

Golf

22. No person shall drive, chip or pitch a hard golf ball except on the golf course.

Golf - Rules

23. (1) No person shall play golf on the golf course unless he holds a valid ticket issued by or on behalf of the Council entitling him to do so, which ticket shall be retained and shown on demand to any authorised officer or agent of the Council.
- (2) No person shall enter on to or remain on the golf course unless:
- (a) taking part in the game of golf or accompanying a person so engaged; or
 - (b) doing so in the exercise of a lawful right or privilege.
- (3) No person shall offer his service for hire as an instructor on the golf course without the consent of the Council.

PART 5

WATERWAYS

Interpretation of Part 5

24. In this Part:

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

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

Mooring

25. No person shall in any ground having a frontage to the River Thames moor any boat except where any part of the ground has by notice affixed in a conspicuous position been set aside by the Council as a place where mooring is permitted provided always that no boat moored pursuant to this byelaw shall remain moored in the ground for more than 24 hours in any period of 48 hours.

Pollution

26. No person shall foul or pollute any waterway.

PART 6

MODEL AIRCRAFT

Interpretation of Part 6

27. In this Part:

“model aircraft” means an 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.

General prohibition

28. 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

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

Excessive noise

30. (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 30(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

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

PART 8

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 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

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

Penalty

35. 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

36. Byelaws 1-8 and 10 – 18, the first schedule and references in the second schedule to Echelford Recreation Ground made by Spelthorne Borough Council on 28 February 1992 and confirmed by the Secretary of State for the Home Office on 26 May 1992 relating to the ground are hereby revoked.

SCHEDULES

SCHEDULE 1

GROUND TO WHICH BYELAWS APPLY GENERALLY

PART I

RECREATION GROUNDS GOVERNED BY SECTION 164 OF THE PUBLIC HEALTH ACT, 1875

Alexandra Road Recreation Ground – Sunbury

Ashby Recreation Ground – Staines

Ashford Recreation Ground

Bishop Duppas Park – Shepperton

Cedars Recreation Ground – Sunbury

Echelford Recreation Ground – Ashford

Feltham Hill Road Recreation Ground – Sunbury

Fordbridge Park – Ashford

Greenfield Recreation Ground – Laleham

Groveley Recreation Ground – Sunbury

Halliford Park – Shepperton

Kenyngton Manor – Sunbury

Laleham Park and Riverside Lands

Littleton Recreation Ground

Long Lane Recreation Ground – Stanwell

Manor Park – Shepperton

Memorial Gardens – Staines

Old Bathing Field – Sunbury

Poyle Children's Recreation Ground

River Ash Walk – Shepperton

Rivermead Island

Scott Freeman Gardens – Ashford

Shepperton Recreation Ground

Shrublands Recreation Ground – Ashford

Splash Meadow – Shepperton

Stanwell Moor Recreation Ground

Stanwell Recreation Ground

Staines Park
Staines Riverside Walk
Sunbury Park
Swans Rest and Foreshore
Town Lane Recreation Ground – Stanwell
Victoria Jubilee Gardens – Staines
Village Park – Stanwell
Woodthorpe Recreation Ground – Ashford

PART II
RECREATION GROUNDS GOVERNED BY
SECTION 15 OF THE OPEN SPACES ACT, 1906

Brickle Green – Sunbury
Flower Pot Green – Sunbury
Kenyngton Manor Recreation Ground – Sunbury
Littleton Green – Shepperton
Lower Halliford Green – Shepperton
Moormede Park – Staines
Russell Road Greens – Shepperton
Stanwell Village Green
Towing Path Greens – Shepperton
Upper Halliford Green – Shepperton
Windmill Green – Shepperton

PART III
RECREATION GROUNDS GOVERNED BY
SECTIONS 12 AND 15 OF THE OPEN SPACES ACT, 1906

Bishop Duppas Park – Shepperton
Echelford Recreation Ground – Ashford
Fordbridge Park – Ashford
Hengrove Park – Ashford
Kingslawn and Church Wharf – Sunbury
Littleton Recreation Ground – Sunbury
Rivermead Island – Sunbury
Riverside Land – Ashford
Stanwell Churchyard
Studios Walk - Shepperton

SCHEDULE 2

RULES FOR PLAYING BALL GAMES IN DESIGNATED AREAS (BYELAW 20)

Any person using a designated area for playing ball games is required by byelaw 20 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.

THE COMMON SEAL OF
SPELTHORNE BOROUGH COUNCIL
WAS HEREUNTO AFFIXED ON
9th MARCH, 2009

MICHAEL GRAHAM
Head of Corporate Governance

The foregoing byelaws are confirmed by the Secretary of State and shall come into operation one calendar month after the date of confirmation

Signed by the authority of the Secretary of State

P Rowsell
Senior Civil Servant
in the Department for Communities and Local Government

28 May 2009