

NORTH WEST LEICESTERSHIRE DISTRICT 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 and sections 12 and 15 of the Open Spaces Act 1906 by the District Council of North West Leicestershire with respect to pleasure grounds, public walks and open spaces listed in the Schedule hereto.

PART 1

GENERAL

General Interpretation

1. In these byelaws:

“the Council” means the Council of the District of North West Leicestershire

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

“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 areas listed in Parts 1 and 2 of 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 indicated by a notice placed in a conspicuous position at the entrance to the ground.

(3) Byelaws 3 (1) and (2) only apply to the grounds listed in Part 3 of Schedule 1

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.

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 nets or the laying of snares.

Gates

- 8 (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 8 (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

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.

Fires

- 10.(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 10 (1) shall not apply to:
- (a) any event at which the Council has given permission that fires may be lit;

- (b) the use in a designated area for camping of a properly constructed camping stove or barbecue in such a manner as to safeguard against damage to the ground or danger to any person.

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

- 13. In this Part:

“designated route” means a route in or through the grounds which is set aside for a specified purpose, that route and its 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 a mechanically propelled vehicle other than a motor cycle or invalid carriage;

“trailer” means a vehicle drawn by a motor vehicle, and includes a caravan.

Horses

- 14. (1) No person shall ride a horse in the ground except in the exercise of a lawful right or privilege.
- (2) In any part of the ground where horseriding is permitted by virtue of 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 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 for that class of vehicle or on a designated route for motor cycles and motor vehicles.

- (2) Where there is a designated route in the ground for motor cycles and motor vehicles, it shall not be an offence under byelaw 16 (1) to bring into or drive a motor cycle or motor vehicle in the ground for the sole purpose of transporting it to the designated route.

Overnight parking

17. No person shall without the consent of the Council leave or cause or permit to be left any motor cycle, motor vehicle or trailer in the ground between the hours of 12 midnight and 6am.

PART 4

PLAY AREAS, GAMES AND SPORTS

Interpretation of Part 4

18. 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

19. No person aged 14 years or over shall enter or remain in a designated area which is a children’s play area unless bona fide in charge of a child under the age of 14 years.

Children’s play apparatus

20. 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.

21. 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

22. (1) No person shall play ball games in the ground.
(2) Byelaw 22 (1) only applies to the grounds listed in Part 4 of Schedule 1.
23. 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.
24. 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

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

Archery

26. 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

27. 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

28. No person shall drive, chip or pitch a hard golf ball except on the golf course.
29. (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 walk or run on or across 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

30. 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

31. No person shall without reasonable excuse bathe or swim in any waterway except in a designated area for bathing and swimming.

Ice Skating

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

Model Boats

33. No person shall operate a power-driven model boat on any waterway except in a designated area for model boats.

Boats

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

Fishing

35. 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.

Pollution of waterways

36. No person shall foul or pollute any waterway.

Blocking of watercourses

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

PART 6

MODEL AIRCRAFT

Interpretation of Part 6

38. In this Part—

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

“power-driven” means driven by—

- (a) the combustion of petrol vapour or other combustible substances;
- (b) by 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) by one or more electric motors or by compressed gas.

General prohibition

39. 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

other than in a designated area for flying model aircraft.

PART 7

OTHER REGULATED ACTIVITIES

Trading

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

Excessive noise

41 (1). No person shall, after being requested to desist by any other person in the grounds:

(a) by shouting or singing;

(b) by playing on a musical instrument; or

(c) by operating or permitting to be operated any radio, amplifier, tape recorder or similar device,

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.

(2) Byelaw 41(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

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

Aircraft, hand-gliders and hot-air balloons

43. 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, hand-glider or hot-air balloon.

Kites

44. 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

45. 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

46. No person shall—

(a) obstruct any officer of the Council in the proper execution of his duties;

- (b) obstruct any person carrying out an act which is necessarily to the proper execution of any contract with the Council; or
- (c) obstruct any other person in the proper use of the ground.

Savings

- 47. 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.
- 48. Nothing done in or 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

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

Penalty

- 50. 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

- 51. Byelaws 3,4,5,6,7,8,9,10 and 11 and 13,14,15,16, and 17 made by the District Council of North West Leicestershire on 19 April 1977 and confirmed by the Secretary of State at the Home Office on 12 July 2004 on 1 August 1977, the amendment thereto by byelaw 17A made by the District Council of North West Leicestershire on 18 December 1979 and confirmed by the Secretary of State on 1 May 1980 and the further amendments in paragraphs (1) (2) and (3) in bye-laws made on 6 August 1982 and confirmed by the Secretary of State on 7 October 1982 relating to the grounds listed in Schedule 3 are hereby revoked.

SCHEDULE 1

List of Grounds

The grounds referred to in byelaw 2 are as follows:

PART 1

**Pleasure grounds in respect of which Byelaws are made under
Section 164 of the Public Health Act 1875**

Ashburton Road Rec. Hugglescote
Ashby Road/Linden Way Coalville
Clover Place Play Area Thringstone
Dennis Street Corner Hugglescote
Durris Close Play Area Greenhill
Gracedieu Woodland Thringstone

Greenhill Estate Play Areas
Greenhill Recreation Ground
Hermitage Recreation Ground Whitwick
Hermitage Road Play Area Greenhill
Kenmore Crescent Open Space Greenhill
Millfield Recreation Ground Hugglescote
Nature Alive Coalville
North Avenue Play Area Hugglescote
Ravenstone Road Recreation Ground Coalville
Romans Crescent Play Area Greenhill
Scotlands Playing Fields Coalville
Stonerows/Stonepit Field Moira
Strathmore Close Play Area Greenhill
Swan Way/Teal Close Play Area Coalville
The Crescent Picnic Area Moira
The Green Donington le Heath
Urban Forest Park Coalville
Whitwick Park North St Whitwick
Willow Green Play Area Coalville
Walkers Flats George St Whitwick

PART 2

Pleasure grounds in respect of which Byelaws are made under Sections 12 and 15 of the Open Spaces Act 1906:

Ashford/Thomas Rd Play Area Whitwick
Brambles Road Play Area Hugglescote
Briers Way Play Area Whitwick
Cademan St/Loughborough Rd Whitwick
Castle Rock Drive Open Space
City of Dan Whitwick
Coalville Park London Rd Coalville
Degens Way Play Area Coalville
Fairfield Corner Hugglescote
Forrester Close Play Area Coleorton
Grange Farm Play Area Hemington
GreenField Drive Play Area Measham
Hall Lane/Perran Av. Whitwick
Hilary Crescent Play Area Whitwick
Holly Hayes Rd Play Area Whitwick
Homestead Rd Recreation Ground Thringstone
Jackson St Play Area Coalville
London Rd/Broomleys Rd Open Space Coalville
Melbourne St Car Park Area Coalville
Melrose Road Recreation Ground Thringstone
North St Open Space Whitwick
Orchard Close Play Area Osgathorpe
Owen Street Recreation Ground Coalville
Oxford St Play Areas (2) Coalville
Parsonwood Hill Recreation Ground Whitwick
Priory Close Play Area Thringstone
Quelch Close Play Area Hugglescote
Sharpley Avenue Recreation Ground Coalville

Springfield Estate Play Area Thringstone
St Clairs Court Open Space Coalville
St Johns Close Play Area Hugglescote
Stinson Way Play Area Whitwick
The Green Thringstone
The Oval Play Area Coalville
Thomas Rd Play Area Whitwick
Wainwright Road Play Area Hugglescote
Windmill Close Play Area Kegworth

PART 3

Pleasure Grounds in respect of which Opening Hours are Restricted **Byelaw 3 (1) and (2)**

Coalville Park London Rd Coalville
Whitwick Park North St Whitwick

PART 4

Pleasure Grounds in respect of which Ball Games are Prohibited

Byelaw 22(1)

Ashby Road/Linden Way Coalville
Dennis Street Corner Hugglescote
Kenmore Crescent Open Space Greenhill
Nature Alive Coalville
The Green Donington le Heath
Cademan St/Loughborough Rd Whitwick
Fairfield Corner Hugglescote
Forrester Close Play Area Coleorton
Hall Lane/Perran Av. Whitwick
London Rd/Broomleys Rd Open Space Coalville
Oxford St Play Areas (2) Coalville
The Green Thringstone

SCHEDULE 2

Rules for Playing Ball Games in Designated Areas

Byelaw 29

Any person using a designated area for playing ball games must comply with the following rules:

1. No person shall play any game other than those ball games for which the 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 has been granted to a person or group of persons by the Council for a specified period, no other person shall play during that period.
4. Subject to paragraph (5), where the area is already in use by any person their permission to play must be sought by any other person wishing to play.
5. Except where they have been granted exclusive use by the Council for more than two hours, any person using the area shall vacate it if they have played continuously for two hours or more and know that any other person wishes to use the area.
6. No person shall play when a notice has been placed in a conspicuous position by the Council prohibiting play in that area of the ground.

SCHEDULE 3

Pleasure Grounds in respect of which Previous Byelaws made are Revoked

PART 1

Pleasure Grounds in respect of which Byelaws were made under Section 164 of the Public Health Act 1875:

Ravenstone Road, Coalville
 Millfield, Hugglescote
 Clover Place, Thringstone
 Wyggeston Road, Coalville
 Willow Green, Coalville
 Kendal Road, Ellistown
 Whitwick Park
 Scotlands Playing Fields, Coalville
 Western Park, Ashby-de-la-Zouch
 Hermitage Road, Whitwick
 Hall Lane/George Street, Whitwick

PART 2

Pleasure Grounds in respect of which Byelaws were made under Sections 12 and 15 of the Open Spaces Act 1906

Bath Grounds, Ashby-de-la-Zouch
 Westifleds, Moira, Ashby-de-la-Zouch
 Norris Hill, Moira
 Well Lane, Blackfordby
 St Christopher's Road, Ellistown
 Holly Hayes Road, Whitwick
 Melbourne Street, Coalville
 Hilary Crescent, Whitwick
 Ashburton Road, Hugglescote
 Melrose Road, Thringstone
 Loughborough Road/Parsonwood Hill, Whitwick
 Coalville Park
 Sharpley Avenue, Coalville
 Hood Park, Ashby-de-la-Zouch
 Main Street, Blackfordby

The Common Seal of the
District Council of North
West Leicestershire
was hereunto affixed the
 day of April 2004
in the presence of:

.....
Chairman of the Council

.....
Chief Executive