

# STONEY STANTON PARISH COUNCIL

## PLEASURE GROUNDS, PUBLIC WALKS AND OPEN SPACES

Byelaws made by the Stoney Stanton Parish Council under Section 164 of the Public Health Act 1875, with respect to the pleasure grounds, public walks and open spaces as referred to in Schedule 1 to the byelaws.

### Interpretation

1. In these byelaws:

"the Council" means Stoney Stanton Parish Council;

"the ground" means each of the grounds listed in Schedule 1 to these byelaws.

### Vehicles

2. (1). No person shall, without reasonable excuse, ride or drive a motor cycle, motor vehicle or any other mechanically propelled vehicle (other than a cycle), in the ground, or bring or cause to be brought into the ground a motor cycle, motor vehicle, trailer or any other mechanically propelled vehicle (other than a cycle), except in any part of the ground where there is a right of way for that class of vehicle.

- (2). No person shall, without reasonable excuse, ride a cycle, except in any part of the ground where there is a right of way for cycles, or along such routes as may be fixed by the Council and indicated by signs placed in conspicuous positions in the ground.

- (3). This byelaw shall not extend to invalid carriages.

- (4). In this byelaw:

"cycle" means a bicycle, a tricycle, or a cycle having four or more wheels, not being in any case a motor cycle or motor vehicle;

"invalid carriage" means a vehicle, whether mechanically propelled or not, the unladen weight of which does not exceed 150 kilograms, the width of which does not exceed 0.85 metres and which has been constructed or adapted for use for the carriage of one person, being a person suffering from some physical defect or disability and is used solely by such a person;

"motor cycle" means a mechanically propelled vehicle, not being an invalid carriage, with less than four wheels and the weight of which unladen does not exceed 410 kilograms;

"motor vehicle" means a mechanically propelled vehicle, not being an invalid carriage, intended or adapted for use on roads;

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

#### **Horses**

3. (1) No person shall in the ground, known as the dog walking area, intentionally or negligently ride a horse to the danger of any other person using the ground.
- (2) No person shall , except in the exercise of any lawful right or privilege, ride a horse in the ground.

#### **Overnight Parking**

4. (1) This byelaw only applies to Stoney Stanton War Memorial Playing Fields, Carey Hill Road, Stoney Stanton.
- (2) No person shall, without the consent of the Council, leave or cause or permit to be left any vehicle in the ground between the hours of 12 midnight and 6.00 a.m.

#### **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.

#### **Removal of Structures**

6. No person shall, without reasonable excuse, remove from or displace in the ground any barrier, railing, post or seat, or any part of any structure or ornament, or any implement provided for use in the laying out or maintenance of the ground.

#### **Erection of Structures**

7. No person shall in the ground, without the consent of the Council, erect any post, rail, fence, pole, tent, booth, stand, building or other structure.

#### **Camping**

8. No person shall in the ground, without the consent of the Council, erect a tent or use any vehicle, including a caravan, or any other structure for the purpose of camping, except in any area which may be set apart and indicated by notice as a place where camping is permitted.

#### **Trading**

9. No person shall in the ground, without the consent of the Council, sell, or offer or expose for sale, or let to hire, or offer or expose for letting to hire, any commodity or article.
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### **Grazing**

10. No person shall, without the consent of the Council, turn out or permit any animal to graze in the ground.

### **Removal of Substances**

11. No person shall remove from or displace in the ground any stone, soil, or turf, or the whole or any part of any plant, shrub or tree.

### **Children's Play Areas**

12. (1) No person who has attained the age of 14 years shall enter or remain in the children's play area known as the War Memorial Playing Fields Children's play area.
- (2) This byelaw shall not apply to any person who is *bona fide* in charge of a child under the age of 14 years.

### **Children's Play Apparatus**

13. No person who has attained the age of 14 years shall use any apparatus in Stoney Stanton War Memorial Playing Fields, Carey Hill Road, which, by a notice placed on or near thereto, has been set apart by the Council for the exclusive use of persons under the age of 14 years.

### **Games**

14. (1) No person shall in the ground play any game:
- (a) so as to give reasonable grounds for annoyance to any other person in the ground, or
- (b) which is likely to cause damage to any tree, shrub or plant in the ground.
- (2) This byelaw shall not extend to any area set apart by the Council for the playing of any game.

### **Missiles**

15. No person shall in the ground, to the danger or annoyance of any other person in the ground, throw or discharge any missile.

### **Waterways**

16. (1) No person shall intentionally, carelessly or negligently foul or pollute any waterway comprised in the ground;
- (2) No person shall knowingly cause or permit the flow of any drain or watercourse in the ground to be obstructed or diverted, or open, shut

or otherwise work or operate any sluice or similar apparatus in the ground.

#### **Power-driven model aircraft**

17. (1) In byelaw 18:

“model aircraft” means an aircraft which either weighs not more than 7 kilograms without its fuel or is for the time being exempted (as a model aircraft) from the provisions of the Air Navigation Order;

“power-driven” means driven by the combustion of petrol vapour or other combustible vapour or other combustible substances, or by one or more electric motors or by compressed gas.

18. No person shall:

- (a) in the ground release any power-driven model aircraft for flight or control the flight of such an aircraft; or
- (b) cause any power-driven model aircraft to take off or land in the ground.

#### **Fires**

- 19. (1) No person shall in the ground intentionally light a fire, or place, throw or let fall a lighted match or any other thing so as to be likely to cause a fire.
- (2) This byelaw shall not apply to any event held with the consent of the Council.
- (3) This byelaw shall not prevent the lighting or use of a properly constructed camping stove or cooker in any area set aside for the purpose, in such a manner as not to cause danger of or damage by fire.

#### **Fishing and Protection of wildlife**

- 20. (1) No person shall in the ground intentionally kill, injure, take or disturb any animal or fish or engage in hunting, shooting or fishing, or the setting of traps or nets or the laying of snares.
- (2) This byelaw shall not prohibit any fishing which may be authorised by the Council.

#### **Noise**

- 21. (1) No person shall in the ground, after being requested to desist by an officer of the Council, or by any person annoyed or disturbed, or by any person acting on his behalf:

- (a) by shouting or singing;
- (b) by playing on a musical instrument; or
- (c) by operating or permitting to be operated any radio, gramophone, amplifier, tape recorder or similar instrument

cause 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) This byelaw shall not apply to any person holding or taking part in any entertainment held with the consent of the Council.

### **Performances**

- 22. No person shall, without the consent of the Council, hold or take part in any public show, performance or exhibition in the ground.

### **Gates**

- 23. Where the Council indicates by a notice conspicuously exhibited on or alongside any gate in the ground that leaving that gate open is prohibited, no person having opened that gate or caused it to be opened, shall leave it open.

### **Obstruction**

- 24. No person shall in the ground:
  - (a) intentionally obstruct any officer of the Council in the proper execution of his duties.
  - (b) intentionally obstruct any person carrying out an act which is necessary to the proper execution of any contract with the Council, or
  - (c) intentionally obstruct any other person in the proper use of the ground or behave so as to give reasonable grounds for annoyance to other persons in the ground.

### **Savings**

- 25. (1) An act necessary to the proper execution of his duty in the ground by an officer of the Council, or any act which is necessary to the proper execution of any contract with the Council, shall not be an offence under these byelaws.
- (2) Nothing in or done under any of the provisions of 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 legally by virtue of some estate, right or interest in, over or affecting the ground or any part thereof.

### **Removal of Offenders**

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

### **Penalty**

27. Any person offending against any of these byelaws shall be liable on summary conviction to a fine not exceeding level 2 of the standard scale.

### **Revocation**

28. Byelaws made by Stoney Stanton Parish Council on the 1st day of November 1983 and confirmed by the Secretary of State for the Home Department on the 2nd day of May 1984 relating to the ground are hereby revoked, and

Byelaws made by Stoney Stanton Parish Council on the fourth day of March 1986 and confirmed by the Secretary of State for the Home Department on the 17th June 1986 relating to the ground are hereby revoked.

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Schedule

The ground referred to in byelaw 1 are as follows:

Arboretum (formerly the quarry railway line), off Carey Hill Road, Stoney Stanton, Leicestershire.

Dog Walking area, (OS SP 4894, 4994, 4893 field number 0735) off Carey Hill Road, Stoney Stanton, Leicestershire.

Meadowland, (OS SP 4894, 4994, 4893 field number 9019) off Carey Hill Road, Stoney Stanton, Leicestershire.

War Memorial Park, New Road, Stoney Stanton, Leicestershire.

Stoney Stanton War Memorial Playing Fields, Carey Hill Road, Stoney Stanton, Leicestershire.

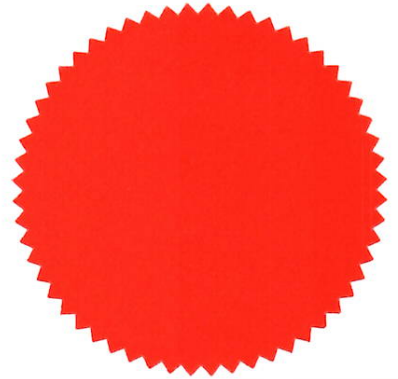
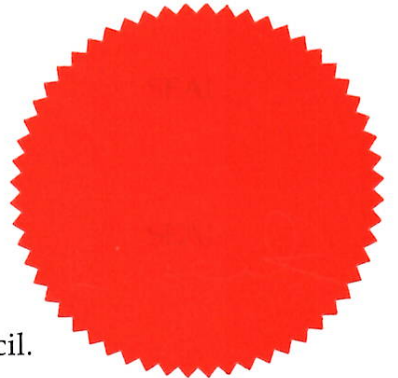
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Given under our hands and seals this 4 day of 8, 1998 .

Signed..... *Frank Gent* .....  
F. W. Gent, Chairman to the Council

Signed..... *D. Bagby* .....  
D. Bagby, Vice-Chairman

Members of the Stoney Stanton Parish Council.  
*4 August 1998.*



The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into operation on the twenty-ninth day of October 1998.

Signed by authority of the Secretary of State

*RGEAS*

R. G. EVANS  
Head Of Unit

Constitutional and Community Policy Directorate

29 SEP 1998

Home Office  
LONDON, SW1.