

EAST HERTFORDSHIRE DISTRICT COUNCIL

**BYELAWS FOR PLEASURE GROUNDS, PUBLIC
WALKS AND OPEN SPACES**

ARRANGEMENT OF BYELAWS

SOUTHERN PARKLAND – ST MICHAEL’S MEAD

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Byelaws made under sections 12 and 15 of the Open Spaces Act 1906 by East Hertfordshire District Council with respect to all that area of open space land at St Michael's Mead, Bishop's Stortford, Hertfordshire known as the Southern Parkland and delineated hatched red on the plan annexed to these byelaws.

PART 1

GENERAL

General Interpretation

1. In these byelaws:

“the Council” means East Hertfordshire District Council;

“the ground” means all that area of open space land at St Michael's Mead, Bishop's Stortford, Hertfordshire known as the Southern Parkland and delineated hatched red on the plan annexed to these byelaws;

“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 that area of open space land at St Michael's Mead, Bishop's Stortford, Hertfordshire known as the Southern Parkland and delineated hatched red on the plan annexed to these byelaws.

PART 2

PROTECTION OF THE GROUND, ITS WILDLIFE AND THE PUBLIC

Protection of structures and plants

3. (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

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

Grazing

- 5. 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

- 6. 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

- 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 light a fire or place, throw or drop a lighted match or any other thing likely to cause a fire.
- (2) Byelaw 8(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.

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.

Interference with life-saving equipment

- 10. 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

11. 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

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

Motor vehicles

13. 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.

Overnight parking

14. No person shall without the consent of the Council leave or cause or permit to be left any motor vehicle in the ground between the hours of 10 p.m. and 6 a.m..

PART 4

PLAY AREAS, GAMES AND SPORTS

Cricket

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

Golf

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

PART 5

WATERWAYS

Interpretation of Part 5

17. 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

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

Model boats

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

Boats

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

Fishing

21. 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

22. No person shall foul or pollute any waterway.

Blocking of watercourses

23. 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
OTHER REGULATED ACTIVITIES

Metal detectors

24. 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 7
MISCELLANEOUS

Obstruction

25. 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

26. (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

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

Penalty

28. 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.

THE COMMON SEAL of EAST
HERTFORDSHIRE DISTRICT COUNCIL
was hereunto affixed in the presence of

Director of Corporate Governance

Dated this day of 2007

Legal\docs\Byelaws - Northern Parkland