

CRANBROOK & SISSINGHURST PARISH COUNCIL

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

ARRANGEMENT OF BYELAWS

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SCHEDULE 2

Rules for Playing Ball Games in Designated Areas

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

PART 1

GENERAL

General Interpretation.

1. In these byelaws:

“the council means the Council of Cranbrook & Sissinghurst;

“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 areas listed in Schedule 1 unless otherwise stated.

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 nets or the laying of snares.

Gates

7. (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 7(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

8. 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

9. (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 9 (1) shall not apply to any event at which the council has given permission that fires may be lit.

Missiles

10. 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.

PART 3

HORSES, CYCLES AND VEHICLES

Interpretation of Part 3

11. 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

12. (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

13. 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.

Motor Vehicles

14. 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

15. 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

16. 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 area.

17. 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

18. 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.

19. 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.

20. 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.

21. It is an offence for any person using the 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

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

Archery

23. 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

24. 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

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

PART 5

WATERWAYS

Interpretation of Part 5

26. 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.

Pollution of waterways

27. No person shall foul or pollute any waterway

Blocking of watercourses

28. 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

29. 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) 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.

“radio control” means control by a radio signal from a wireless transmitter or similar device.

General prohibition

30. 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

Trading

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

Excessive noise

32.-(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 32 (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

33. 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

34. No person shall except in the case of an 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

35. 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

36. 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

37. 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 necessary to the proper execution of any contract with the council; or
- (c) obstruct any other person in the proper use of the ground.

Savings

38. 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.

39. 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

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

Penalty

41. 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.

SCHEDULE 1

List of Grounds

Ball Field, Jockey Lane, Cranbrook

Crane Valley, Crane Lane, Cranbrook

Crane Valley Orange Land, Crane Lane, Cranbrook

Cricket Field, Whitewell Lane, Cranbrook

Golford Cemetery, Golford Road, Cranbrook

Jubilee Field, The Street, Sissinghurst

Kings's Head Well, The Tanyard, Cranbrook

Sissinghurst Cemetery, The Street, Sissinghurst

The Pound, Willesley Pound, Sissinghurst

Tomlin Ground, Angley Road, Cranbrook

War Memorial, High Street, Cranbrook

SCHEDULE 2

Rules for Playing Ball Games in Designated Areas

Byelaw 21

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

(1) No person shall obstruct any other person who is playing in accordance with these rules

(2) 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.

(3) Subject to paragraph (4) where an area is already in use by any person their permission to play must be sought by any other person wishing to play

(4) 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.

(5) 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.