

TADLEY TOWN COUNCIL PLEASURE GROUNDS, PUBLIC WALKS AND OPEN SPACES

Byelaws made by the Tadley Town Council under Sections 12 and 15 of the Open Spaces Act 1906 with respect to pleasure grounds, public walks and open spaces.

INTERPETATION

1. In these byelaws:

"the council" means Tadley Town Council;

"the ground" means any of the grounds listed in Schedule A to the byelaws.

OPENING TIMES

2. (1) On any day on which the ground is open to the public, no person shall enter it before the time, or enter or remain in it after the time, indicated by a notice placed in a conspicuous position at the entrance to the ground.
- (2) This byelaw applies to any of the grounds listed in Schedule B to these byelaws.

VEHICLES

3. (1) No person shall, without reasonable excuse, ride a cycle 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) Byelaw 3 (1) applies to The Green including the Play Area and Giles Road.

(3)(i) No person shall, without reasonable excuse, 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.

(3) (ii) 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.

(4) If the Council has set apart a space in the ground for use by vehicles of any class, paragraphs 3.(1), 3.(3)(i), 3.(3) (ii) of these byelaws shall not prevent the riding, bringing, or causing to be brought on of those vehicles in the space so set apart, or on a route between it and the entrance to the ground.

(5) Byelaw 3. (3)(i), 3.(3)(ii) and sub paragraph (4) applies to Lowes Corner Play Area and Tadley Common including the Skateboard Park.

(6) These byelaws shall not extend to invalid carriages.

(7) In these byelaws:

"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, whether or not intended or adapted for use on roads, 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, whether or not intended or adapted for use on roads, not being an invalid carriage.

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

OVERNIGHT PARKING

4. (1) 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 a.m.
- (2) This byelaw applies to Lowes Corner Play Area and Tadley Common.

HORSES

5. a) No person shall, except in the exercise of any lawful right or privilege, ride a horse in the ground.
- b) In any part of the ground where by any lawful right or privilege horseriding is permitted, no person shall intentionally or negligently ride a horse to the danger of any other person using the ground.

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.

REMOVAL OF STRUCTURES

7. 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

8. 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

9. 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.

FIRES

- 10.(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 or barbecue in any area set aside for the purpose, in such a manner as not to cause danger of or damage by fire.

CHILDREN'S PLAY AREAS

- 11(1) No person who has attained the age of 14 years shall enter or remain in the children's play areas known as Lowes Corner Play Area, Giles Road Play Area and The Green 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

12. No person who has attained the age of 14 years shall use any apparatus in the grounds known as Lowes Corner Play Area, Giles Road Play Area and The Green Play Area 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.

BALL GAMES

13. No person shall play or take part in any ball game in the grounds known as Lowes Corner, The Green Play Area, Giles Road Play Area and Tadley Skateboard Park.

GAMES

14. Where the Council has, by a notice placed in a conspicuous position in the ground, set apart an area in the ground for the playing of such games as may be specified in the notice, no person shall:
- a) play in such an area any game other than the game for which it has been set apart;
- b) use any such area so as to give reasonable grounds for annoyance to any person already using that area for any purpose for which it has been set apart; or

- c) play any game so specified in any other part of the ground in such a manner as to exclude any person not playing the game from the use of that part.
- d) when the area is already occupied by other players begin to play thereon without their permission;
- e) where the exclusive use of the area has been granted by the Council for the playing of a match, play on that area later than a quarter of an hour before the time fixed for the beginning of the match unless taking part therein; or
- f) except where the exclusive use of the area has been granted by the Council for the playing of a match in which he is taking part, use the area for a longer time than two hours continuously, if any other player or players make known to him a wish to use the area.

15. No person shall, in any area of the ground which may have been set apart by the Council for any game, play any game when the state of the ground or other cause makes it unfit for use and a notice is placed in a conspicuous position prohibiting play in that area of the ground.

16. (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.

TRADING

17. 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.

GRAZING

18. No person shall, without the consent of the Council, turn out or permit any animal to graze in the grounds known as Giles Road Play Area, Tadley Common and The Green including the Play Area.

PROTECTION OF FLOWER BEDS, TREES, GRASS, ETC

19. No person shall in the ground enter upon:

(a) any flower bed, shrub or plant, or any ground in the course of preparation as a flower bed, or for the growth of any tree, shrub or plant; or

(b) any part of the ground set aside for the renovation of grass or turf, where adequate notice to keep off such grass or turf is exhibited.

REMOVAL OF SUBSTANCES

20. 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.

ARCHERY

21. No person shall in the ground, except in connection with an event organised by or held with the consent of the Council, engage in the sport of archery in Giles Road Play Area, Tadley Common and The Green including the Play Area.

FIELD SPORTS

22. No person shall in the ground, except in connection with an event organised by or held with the consent of the Council, engage in the sport of javelin or discus throwing or shot putting in Giles Road Play Area, The Green Play Area and Lowes Corner Play Area.

GOLF

23. No person shall in the ground drive, chip or pitch a hard golf ball except on land set aside by the council for use as a golf course, golf driving range, golf practice area or putting course.

CRICKET

24. No person shall use any cricket ball, except in any part of the ground which, by a notice placed in a conspicuous position in the ground, has been set aside as an area where a cricket ball may be used.

SKATEBOARDING & ROLLER SKATING

25. No person shall in the ground skate, slide or ride on rollers, skateboards, wheels, mechanical contrivances or other equipment, except on any part of the ground which has been set apart by the Council for that purpose and indicated by a notice conspicuously displayed.

MISSILES

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

WATERWAYS

27. No person shall:

Pollution of waterways

- (a) Intentionally, carelessly or negligently foul or pollute any waterway comprised in the ground.

Watercourses

- (b) 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.

AIRCRAFT

- 28. 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, hang-glider or hot-air balloon.

POWER DRIVEN MODEL AIRCRAFT

- 29. In byelaws 30 (1), (2);

"model aircraft" means an aircraft which weighs not more than 7 kilograms without its fuel;

"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;

"radio controlled" means controlled by a radio signal from a wireless transmitter or similar device;

"jet propelled or rocket propelled" means driven 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 (1 inch) in length.

- 30.(1)(a) No person shall in the ground release any power-driven model aircraft for flight or control the flight of such an aircraft.

- (b) No person shall cause any power-driven model aircraft to take off or land in the ground.

- (2)(a) No person shall in the ground release any jet-propelled or rocket-propelled model aircraft for flight or control the flight of such an aircraft.

- (b) No person shall cause any jet-propelled or rocket-propelled model aircraft to take off or land in the ground.

- (3) Byelaws 30.(1) (a), (b) and 30. (2) (a), (b) apply to Tadley Common and The Green.

KITES

31. No person shall in the ground fly or cause or permit to be flown any kite in such a manner as to cause a danger, nuisance or annoyance to any other person in the grounds.

NOISE

32. (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, taperecorder 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

PUBLIC SHOWS & PERFORMANCES

33. No person shall in the ground, without the consent of the Council, hold or take part in any public show or performance in Tadley Common including the Skateboard Park and The Green.

EXHIBITIONS & STRUCTURES

34. No person shall in the ground, without the consent of the Council, place or take part in any exhibition, or set up any swing, roundabout or other like thing in Tadley Common including the Skateboard Park and The Green.

GATES

35. 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

36. 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

37. (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

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

PENALTY

39. 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

40. The byelaws made by Tadley Town Council on 2nd September 1991 confirmed by the Secretary of State for the Home Department on 30th April 1992 relating to the ground are hereby revoked.

SCHEDULE A

The grounds referred to in byelaw 1 are as follows:

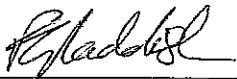
1. Giles Road Play Area
2. Lowes Corner Play Area
3. Tadley Common including Tadley Skateboard Park
4. The Green including The Green Play Area

SCHEDULE B

The grounds referred to in byelaw 2 are as follows:

1. Giles Road Play Area
2. Lowes Corner Play Area
3. The Green Play Area

Given under our hands and seals this 29th day of January 2002.

Signed:  (Seal)

Signed:  (Seal)



Members of the TADLEY TOWN Council.

The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into operation on the twelfth day of April 2002

Signed by authority of the Secretary of State



P Rowsell

Senior civil servant

in the Department for Transport, Local Government and the Regions

15 MAR 2002
LONDON, SW1E 5DU.