

BYELAWS

Made Under section 164 of the Public Health Act 1875 and section 15 of the Open Spaces Act 1906, by the Parish Council of Great Waltham with respect to Recreation Grounds and Village Greens.

1. In these byelaws:
 - (a) "the Council" means the Parish Council of Great Waltham and;
 - (b) "the grounds" means each of the recreation grounds at South Street, Great Waltham; at Pleshey Road, Ford End; and at Parsonage Lane, Howe Street; and the village greens at Banbury Square, Great Waltham (VG148); at Broad's Green, Great Waltham (VG149); and at Ford End, Great Waltham (VG150).

These byelaws apply to the grounds at all times.

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 grounds, or the rights of any person acting legally by virtue of some estate, right or interest in, over or affecting the grounds or any part thereof.
3. The activities prohibited in these byelaws may only otherwise take place with the knowledge, consent and written permission of the Council.
4. No person shall bring or cause to be brought on to the grounds:
 - (a) any beast of draught or burden;
 - (b) any cattle, sheep, goats or pigs;
 - (c) any barrow, truck, machine or vehicle (including any powered or motorised vehicle) except a wheeled bicycle or a vehicle used for the conveyance of a child or children or a disabled person.

5. Where the Council has, by a notice placed in a conspicuous position on the grounds, set apart on the grounds any swing or other playground apparatus as indicated for the use of children under the age of 13 years, no person who has attained the age of 13 years shall make use of such swings or apparatus.

In addition, no person shall, in any area of the grounds set apart for any swing or other playground apparatus for the use of children, cause or suffer any dog (other than assistance dogs for the visually impaired) belonging to them or in their charge to enter or remain in designated area.

6. Where the Council has, by a notice placed in a conspicuous position on the grounds, set apart an area on the grounds 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;
 - (c) any game so specified in any other part of the grounds in such a manner as to exclude any person not playing the game from the use of that part.

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

No person shall on the grounds play any game either (this byelaw shall not extend to any area set apart by the Council for the playing of any game):

- (a) as to give reasonable grounds for annoyance to any other person on the grounds;
 - (b) which is likely to cause damage to any tree, shrub or plant on the grounds.
7. No person shall on the grounds wilfully obstruct, interrupt or annoy any other person in the proper use of the grounds or wilfully obstruct, disturb or interrupt any officer of the Council in the proper execution of their duty or any person or servant of any person employed by the Council in the proper execution of their duty.
8. No person shall cause or suffer any dog belonging to them or in their charge to enter or remain in the grounds, unless such dog be and continues to be under proper control, and be effectually restrained from causing annoyance to any person and from worrying or disturbing any animal.
9. No person shall on the grounds erect any barrier, post, rail, fence, pole, tent, booth, stand, ride or swing, building or other structure.
10. No person shall on the grounds erect a tent or use any vehicle, caravan, or any other structure for the purpose of camping.
11. No person shall on the grounds sell, or offer or expose for sale, or let to hire, or offer or expose for letting to hire, any service, commodity or article.
12. No person shall on the grounds intentionally light a fire, or place, throw or drop a lighted match or any other thing likely to cause a fire, or release a lighted sky lantern into the atmosphere.
13. No person shall, except in case of emergency, take off from or land upon the grounds in an aircraft, helicopter, hang-glider or hot-air balloon.

14. No person shall cause any power-driven model aircraft or drone to take-off or otherwise be released for flight or control the flight of such an aircraft or drone on the grounds, or to cause any power-driven model aircraft or drone to land on the grounds without reasonable excuse.
15. No person shall on the grounds fly or cause or permit to be flown any kite in such a manner as to cause a danger or annoyance to any other person.
16. No person shall on the grounds drive, chip or pitch a hard golf ball.
17. No person shall on the grounds use any device designed or adapted for detecting or locating any metal or mineral in the ground.
18. No person, after being requested to desist by an officer of the Council, or by any person annoyed or disturbed, or any person acting on their behalf, 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 on the grounds by:
 - (a) shouting or singing;
 - (b) playing on a musical instrument; or
 - (c) by operating or permitting to be operated any radio, amplifier, tape recorder or similar device capable of emitting sound.
19. No person shall on the grounds place or take part in any public show, performance or exhibition, or set up any swing, roundabout or other like thing.
20. No person shall, without reasonable excuse, remove from or displace on the grounds any barrier, railing, sign, 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 grounds.
21. No person shall remove from or displace on the grounds any stone, soil or turf, or the whole or any part of any plant, shrub or tree. No person shall plant on the grounds any plant, shrub or tree.
22. No person shall on the grounds 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 lay of snares.
23. No person shall on the grounds intentionally obstruct any officer of the Council in the proper execution of their duties, or intentionally obstruct any person carrying out an act which is necessary to the proper execution of any contract with the Council, or of the grounds.
24. Every person who shall infringe any byelaw for the regulation of the ground may be removed therefrom by any officer of the Council or by any constable in any one of the several cases hereinafter specified, that is to say:
 - (a) Where the infraction of a byelaw is committed within the view of such officer or constable and the name and residence of the person infringing the byelaw are unknown to and cannot be readily ascertained by such officer or constable;
 - (b) When the infraction of the byelaw is committed within the view of such officer or constable and from the nature of such infraction or from any other fact of which such officer or constable may have knowledge or of which he may be credibly informed there may be reasonable ground for belief that the continuance on the ground is infringing the byelaw may result in another infraction of a byelaw or that the removal of such a person from the ground is otherwise necessary as a security for the proper use and regulation thereof.
25. An act necessary to the proper execution of their duty on the grounds 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.
26. 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.
27. Repeal of byelaws

The byelaws relating to the ground which were made by the Parish Council of Great Waltham on the [xx st/nd/rd/th] day of [Month] [Year] and were confirmed by the Secretary of State on the Sixteenth day of August 1976 are hereby repealed.

Given under our hands and seals this [xxth] day of [Month] [202x]

[xxxxxxxxxxxxx], Chair

[xxxxxxxxxxxxx]

Members of Great Waltham Parish Council

The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into operation on the first day of [Month] [202x].

*Signed by authority of
the Secretary of State*

*[xxxxxxxxxx]
An Assistant Under Secretary of State*

*Home Office, WHITEHALL,
[xxth] [Month] [202x]*