

BYELAWS

PLEASURE GROUNDS, PUBLIC WALKS AND OPEN SPACES

Byelaws made by the Hatfield Town Council under Section 164 of the Public Health Act 1875 and Sections 12 and 15 of the Open Spaces Act 1906 with respect to recreation grounds.

Interpretation

1. In these byelaws:
the "Council" means Hatfield 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 shall apply to any of the grounds listed in Schedule B to these byelaws.

Vehicles

- 3.(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 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 6.00 am.
- (2) This byelaw shall apply to any of the grounds listed in Schedule C to these byelaws.

Horses

5. No person shall, except in the exercise of any lawful right or privilege, ride a horse in 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.

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.

Fires

- 9.(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.

Trading

10. 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, or provide or offer to provide any service for which a charge is made.

Grazing

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

Protection of flower beds, trees, grass, etc

12. No person who brings or causes to be brought into the ground a vehicle shall wheel or park it over or 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 where the Council, by a notice placed in a conspicuous position in the ground prohibits its being wheeled or parked.

13. 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.

Archery

14. 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.

Field Sports

15. 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.

Golf

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

Missiles

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

Power Driven Model Aircraft

18. In byelaw 19:

“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.

19. (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.

Metal Detectors

20. No person shall on the land use any device designed or adapted for detecting or locating any metal or mineral in the ground.

Protection of Wildlife

21. No person shall in the ground intentionally kill, injure, take or disturb any animal or engage in hunting, shooting, or the setting of traps or nets or the laying of snares.

Noise

- 22.(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
 - (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.

Public shows, exhibitions and structures

23. No person shall in the ground, without the consent of the Council, place or take part in any public show or any exhibition, or set up any swing, roundabout or other like thing.

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 on the standard scale.

Revocation

28. The byelaws made by Hatfield Parish Council on 23 March 1981 and confirmed by the Secretary of State for the Home Department on 28 May 1981 relating to the grounds are hereby revoked.

Schedule A

The grounds referred to in byelaw 1 are as follows:

1. Dr Waters' Gardens, Hatfield
2. Grange Estate Recreation Ground, Hatfield
3. Hatfield Woodhouse Recreation Ground
4. Jubilee Park, North Ings, Hatfield
5. Milcroft Crescent Recreation Ground, Hatfield
6. Mosscroft Estate Recreation Ground, Hatfield
7. Station Road Recreation Ground, Dunscroft
8. York Road Recreation Ground, Dunscroft

Schedule B

The grounds referred to in byelaw 2 are as follows:

1. Dr Waters' Gardens, Hatfield
2. Milcroft Crescent Recreation Ground, Hatfield

Schedule C

The grounds referred to in byelaw 4 are as follows:

1. Hatfield Woodhouse Recreation Ground
2. Jubilee Park, North Ings, Hatfield
3. Station Road Recreation Ground, Dunscroft

Given under our hands and seals this 13th day of December 1999

Signed N Sturrock

Signed M Burns

Members of Hatfield Town Council

The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into operation on the tenth day of June 2000

Signed by authority of the Secretary of State

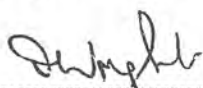


R. G. EVANS
Head of Unit

Constitutional and Community Policy Directorate

11 MAY 2000
Home Office
LONDON, SW1.

The foregoing byelaws are a true copy of the byelaws as confirmed by the Secretary of State.

Signed  Date 18th October 2000
(Town Clerk and Responsible Financial Officer, Hatfield Town Council)