

# THATCHAM TOWN COUNCIL

## byelaws for pleasure grounds, public walks and open spaces

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**SCHEDULE  
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PART 1**

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 Thatcham 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 Thatcham;
  - “the ground” means any of the grounds listed in the Schedule;
  - “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 the Schedule.

## **PART 2**

### **PROTECTION OF THE GROUND, ITS WILDLIFE AND THE PUBLIC**

#### **Protection of structures and plants**

3. 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.

**Interference with life-saving equipment**

11. 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**

12. 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**

**13.** (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**

**14.** No person shall without reasonable excuse ride a cycle in the ground except in any part of the ground where there is right of way for cycles or on a designated route for cycling or in a designated area.

#### **Motor vehicles**

**15.** 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**

**16.** 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 6 a.m.

### **PART 4**

#### **PLAY AREAS, GAMES AND SPORTS**

##### **Interpretation of Part 4**

**17.** 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;

“golf course” means any area within the ground set aside for the purposes of playing golf and includes any golf driving range, golf practice area or putting course;

“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 areas**

**18.** 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**

19. 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.**

20. No person shall skate, slide or ride on rollers, skateboards or other self-propelled vehicles except in a designated area for such activities.

**Ball games**

21. (1) No person shall play ball games.  
(2) Byelaw 21(1) applies to the grounds listed in Part 1 of the Schedule.

**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.

**Bathing**

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

**Ice Skating**

28. No person shall step onto or otherwise place their weight upon any frozen waterway.

### **Model Boats**

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

### **Pollution of waterways**

30. No person shall foul or pollute any waterway.

### **Blocking of watercourses**

31. 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**

32. 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**

33. 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**

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

#### **Excessive noise**

35. 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 opening 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 35(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**

**36.** 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**

**37.** 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.

#### **Kites**

**38.** 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**

**39.** 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**

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

#### **Savings**

**41.** 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.

**42.** 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 of interest in, over or affecting the ground or any part of the ground.

#### **Removal of offenders**

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



**Penalty**

44. 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**

45. The byelaws made by the Council on 26<sup>th</sup> February, 1996 and confirmed by the Home Department on 24<sup>th</sup> July, 1997 relating to the ground are hereby revoked.

**SCHEDULE****List of Grounds**

The grounds referred to in byelaw 2 are as follows:

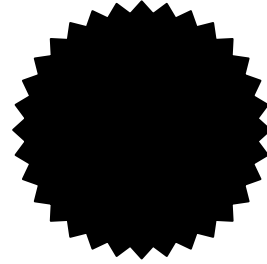
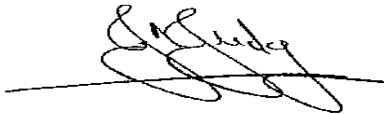
<b>Name of Ground</b>	<b>Location of Ground</b>
Longcroft Children's Play Area	Off Longcroft Road
Siegecross Public Open Space	Off Agricola Way
Pound Lane Open Space	Pound Lane/Arkle Avenue
Arkle Avenue Open Space	Off Arkle Avenue
The Moors Playing Field	Lower Way
Brown's Sports Field	Brownsfield Road
Dunstan Green	Harts Hill Road
Turnfields Recreation Ground	Chapel Street
Pound Lane Recreation Ground	Pound Lane
Mount Road Children's Play Area	Mount Road
The Recreation Areas, Whiteland Estate	(1) South of Lamb Close (2) North of Lamb Close (3) South of Browning Close
The Broadway Green	The Broadway

**PART 1**

Pound Lane Recreation Ground	Pound Lane
Mount Road Children's Play Area	Mount Road
The Recreation Areas, Whiteland Estate	(1) South of Lamb Close (2) North of Lamb Close (3) South of Browning Close
The Broadway Green	The Broadway

The Common Seal of THATCHAM  
TOWN COUNCIL was hereunto  
affixed in the presence of:

*this 3rd day of September 2004*



The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into operation on the 11<sup>th</sup> day of February 2005

Signed by authority of the Secretary of State



P Rowsell

Senior civil servant

in the Office of the Deputy Prime Minister

13 JAN 2005  
LONDON, SW1E 5DU.