

DATED 12th September **1996**

KETTERING BOROUGH COUNCIL

BYELAWS

relating to
Pleasure Grounds and Open Spaces

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GAD/CAA/B3

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BOROUGH OF KETTERING

BYELAWS MADE BY KETTERING BOROUGH COUNCIL UNDER SECTION 164 OF THE PUBLIC HEALTH ACT 1875 AND SECTIONS 12 AND 15 OF THE OPEN SPACES ACT 1906, WITH RESPECT TO THE PLEASURE GROUNDS AND OPEN SPACES WITHIN ITS AREA WHICH ARE UNDER ITS CONTROL .

Interpretation

1. In these byelaws:-

"the Council" means KETTERING BOROUGH COUNCIL;

"the ground" means each of the pleasure grounds and open spaces named in the Schedule to these byelaws.

Opening times

2. 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.

Vehicles

3. **(1)** No person shall, without reasonable excuse, ride or drive a cycle, motor cycle, motor vehicle or any other mechanically propelled vehicle 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) If the Council has set apart a space in the ground for use by vehicles of any class, this byelaw shall not prevent the riding or driving of those vehicles in the space so set apart, or on a route, indicated by signs placed in conspicuous positions, between it and the entrance to the ground.

(3) This byelaw shall not extend to invalid carriages.

(4) In this byelaw:-

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

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

Climbing

4. 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

5. 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

6. 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.

Trading

- 7.** 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

- 8.** 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

- 9.** 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.

- 10.** 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.

Games

- 11.** 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.

12. 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.

13. (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.

Bathing and pollution of water

14. No person shall in the ground:-

(a) bathe, wade or wash in any ornamental lake, pond, stream or other water; or

(b) intentionally, carelessly or negligently foul or pollute any such water.

Obstruction

15. 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

16. (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

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

Penalty

18. 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

19. The byelaws made by the Council on 8th January 1982 and confirmed by the Secretary of State for the Home Department on 3rd March 1982 relating to pleasure grounds and open spaces are hereby revoked.

SCHEDULE OF PLEASURE GROUNDS AND OPEN SPACES

ASHLEY

Main Street Play area

BARTON SEAGRAVE

Grays Field
St Botolph's Road/Creighton Crescent

BROUGHTON

High Street Recreation Ground
Mile End Lane Playing Fields
Podmore Way Play area

BURTON LATIMER

The Crescent
King George V Recreation Ground
The Paddocks

DESBOROUGH

Braybrooke Road Play area
Desborough Leisure Centre
Dunkirk Avenue Recreation Ground
Hall Farm
Memorial Gardens
Rushton Road Play area

GEDDINGTON

Queen Street Playing Fields
Riverside Gardens ('The Meadows')

GREAT CRANSLEY

Loddington Road Play area

KETTERING (EAST/SOUTH-EAST)

Beauly Court play area
Ise Valley open space
Margaret Road open space
Margaret Road picnic area
Melrose Close open space
St John's Road/St Luke's Close open space
Walsingham Avenue open space
Warkton Lane open space adjacent to service road
Welbeck Court/Glastonbury Close open space

KETTERING (NORTH)

Brooksdale Close/Weavers Close open space
Cotswold Avenue/Penine Way play area
Grafton Street Park
Jubilee Gardens
Mill Road Park
North Park
Northfield Avenue/Rockingham Road Public Gardens
Rockingham Road Park
Stamford Road/Catesby Street Gardens
Weekley Glebe Playing Fields

KETTERING (WEST/SOUTH-WEST)

Garden of Rest (London Road)
Highfield Road Recreation Ground
Hilly Hollies (Northfield Avenue/Northampton Road/Bowhill)
Manor Gardens (Sheep Street/Bowling Green Road)
Meadow Road/Westfield Gardens
Municipal Offices Gardens
Northampton Road Recreation Ground
Springfield Road/Highfield Road open space
T.I.C. Gardens

LODDINGTON

Playing Fields

PYTCHLEY

Playing Fields

ROTHWELL

Columbus Crescent
Greening Road Recreation Ground
Manor Park
Slade Valley Avenue
Slade Valley Avenue/Connolly Drive
Slade Valley Avenue/Glendon Road
Well Lane Recreation Ground

RUSHTON

Desborough Road Playing Field

STOKE ALBANY

Village Playing Field

THORPE MALSOR

The Square

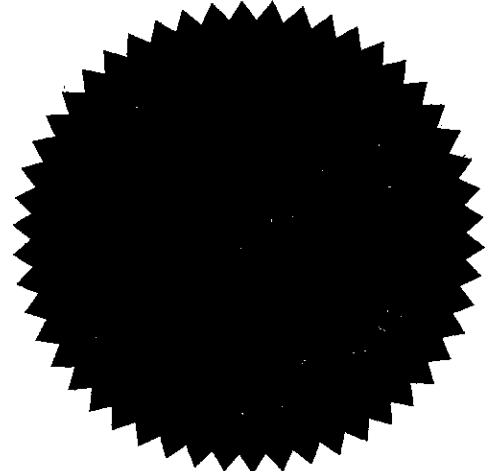
WILBARSTON

Village Hall Playing Fields

THE COMMON SEAL OF KETTERING BOROUGH COUNCIL was hereunto affixed this

Twelfth day of *September* One thousand nine hundred and ninety-six pursuant to a resolution in that behalf passed at a meeting of the said Council duly convened and held on the *Twenty-Eighth* day of *August* One thousand nine hundred and ninety-six in the presence of:-

[Signature]
.....
PRINCIPAL LEGAL OFFICER
(Proper Officer for this function)



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The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into operation on the twenty-fifth day of November 1996.

Signed by authority of the Secretary of State

[Signature]

R. G. EVANS
Head Of Unit

Constitutional and Community Policy Directorate

8 NOV 1996

Home Office
LONDON, SW1.