

Appendix 2 – Proposed Parks and Open Spaces Byelaws

IPSWICH BOROUGH COUNCIL

BYELAWS FOR PLEASURE GROUNDS, PUBLIC WALKS AND OPEN SPACES

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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 Ipswich Borough Council with respect to the grounds listed in Schedule 1.

PART 1 GENERAL

General Interpretation

1. In these byelaws:

“the Council” means Ipswich Borough Council;

“the ground” means any of the grounds listed in Schedule 1;

“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 grounds listed in Schedule 1.

Opening times

3. (1) No unauthorised person shall enter or remain in the ground except during opening hours.
- (2) “Opening hours” means the days and times during which the ground is open to the public and which are indicated by a notice placed in a conspicuous position at the entrance to the ground.
- (3) Byelaw [3(1)] applies only to the grounds listed in [Part 1 of] Schedule [2].]

PART 2

PROTECTION OF THE GROUND, ITS WILDLIFE AND THE PUBLIC

Interpretation of Part 2

In this Part:

“Sky lantern” any unmanned device which relies on an open flame or other heat source to heat air within it with the intention of causing it to lift into the atmosphere

Protection of structures and plants

4. (1) 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

5. No person shall without the consent of the Council erect any barrier, post, ride or swing, building or any other structure.

Climbing

6. Except in a designated area, 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.

Grazing

7. 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

8. No person shall kill, injure, take, disturb or release any animal, or engage in hunting or shooting or the setting of traps or the laying of snares.
9. No person shall without the consent of the Council feed any wildlife.

Gates

10. (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 10(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

11. 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 except in a designated area for camping.

Fires

12. (1) No person shall
 - (a) light a fire; or
 - (b) place, throw or drop a lighted match or any other thing likely to cause a fire; or
 - (c) release a lighted sky lantern into the atmosphere.
- (2) Byelaw 12(1) shall not apply to:
 - (a) the lighting of a fire at any event for which the Council has given permission that fires may be lit;
 - (b) the lighting or use, in such a manner as to safeguard against damage or danger to any person, of a properly constructed camping stove, in a designated area for camping, or of a properly constructed barbecue, in a designated area for barbecues.

Missiles

13. Except with the written permission of the Council, 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

14. 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

In this Part:

“designated route” means a route in or through the ground which is set aside for a specified purpose, its route and that 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 any mechanically-propelled vehicle other than a motor cycle or an invalid carriage;

“trailer” means a vehicle drawn by a motor vehicle and includes a caravan.

Horses

15. (1) No person shall ride a horse except in the exercise of a lawful right or privilege.
- (2) Where horse-riding is permitted by virtue of byelaw 15 (1) or a lawful right or privilege, no person shall ride a horse in such a manner as to cause danger to any other person.

Cycling

16. (1) No person shall ride a cycle in the ground except in any part of the ground where there is a right of way for cycles or on a designated route for cycling.
- (2) No person shall cycle on any footway or carriageway in such a manner as to cause danger or give reasonable grounds for annoyance to other persons using the footway or carriageway.

Motor vehicles

17. (1) No person shall without the permission of the Council 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.
- (2) No person shall drive on the grass without the permission of the Council.
- (3) No person shall drive without using hazard warning lights.
- (4) No person shall drive at a speed exceeding 5mph

Overnight parking

18. No person shall without the consent of the Council leave or cause or permit to be left any motor vehicle in the ground between the hours of 10 p.m. and 6 a.m.

PART 4

PLAY AREAS, GAMES AND SPORTS

Interpretation of Part 4

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

19. No person aged 14 years or over shall enter or remain in a designated area which is a children’s play area unless accompanying a child under the age of 14 years.

Children’s play apparatus

20. 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

21. (1) No person shall skate, slide or ride on rollers, skateboards or other self-propelled vehicles except in a designated area for such activities.
(2) Where there is a designated area for skating, sliding or riding on rollers, skateboards or other self-propelled vehicles, no person shall engage in those activities in such a manner as to cause danger or give reasonable grounds for annoyance to other persons.

Ball games

22. The playing of ball games is permitted in all areas except for those areas which have been designated as unsuitable for the playing of ball games.
23. No person shall play ball games in areas which have been designated as unsuitable for the playing of ball games.

24. No person shall play ball games outside a designated area for playing ball games in such a manner:
- (a) as to exclude persons not playing ball games from use of that part.
 - (b) as to cause danger or give reasonable grounds for annoyance to any other person in the ground; or
 - (c) which is likely to cause damage to any tree, shrub or plant in the ground.
25. It is an offence for any person using a designated area for playing ball games to break any of the rules set out in Schedule 3 and conspicuously displayed on a sign in the designated area when asked by any person to desist from breaking those rules.

Cricket

26. No person shall throw or strike a hard cricket ball with a bat except in a designated area for playing cricket.

Archery

27. No person shall engage in the sport of archery except in connection with an event organised by or held with the written consent of the Council.

Field sports

28. No person shall throw or put any javelin, hammer, discus or shot except in connection with an event organised by or held with the written consent of the Council or on land set aside by the Council for that purpose.

Golf

29. No person shall drive, chip or pitch a hard golf ball.

PART 5
WATERWAYS

Interpretation of Part 5

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

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

Ice skating

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

Model boats

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

Boats

33. No person shall sail or operate any boat, dinghy, canoe, sailboard or inflatable on any waterway without the consent of the Council except in a designated area for the sailing or operation of boats.

Fishing

34. No person shall in any waterway cast a net or line for the purpose of catching fish or other animals except in a designated area for fishing.

Blocking of watercourses

35. No person shall cause or permit the flow of any drain or watercourse in the ground to be obstructed, diverted, open or shut or otherwise move or operate any sluice or similar apparatus.

PART 6
MODEL AIRCRAFT

Interpretation of Part 6

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) 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) one or more electric motors or by compressed gas.

General prohibition

36. 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; or
 - (b) land in the ground without reasonable excuse;
37. Byelaw 36 does not apply to the grounds listed in column 1 of the table in Part [3] of Schedule 2 on the days and times indicated for each ground in column 2 of that table.

PART 7

OTHER REGULATED ACTIVITIES

Provision of services

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

Excessive noise

39. (1) No person shall, after being reasonably requested to desist by any other person in the ground, 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 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.
- (2) Byelaw 39(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

40. No person shall without the consent of the Council hold or take part in any public show or performance.

Aircraft, hang gliders, hot air and other balloons.

41. 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, hot air balloon or release any other balloon.

Kites

42. 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

43. No person shall without the written 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

44. No person shall obstruct:
- (a) any officer of the Council in the proper execution of their duties;
 - (b) any person carrying out an act which is necessary to the proper execution of any contract with the Council; or
 - (c) any other person in the proper use of the ground.

Savings

45. (1) 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 their duty.
- (2) 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 or interest in, over or affecting the ground or any part of the ground.

Removal of offenders

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

Penalty

47. 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

48. The byelaws made by Ipswich Borough Council on 6 October 1983 and confirmed by the Secretary of State on 15 February 1984 relating to the ground are hereby revoked.

SCHEDULES

SCHEDULE 1

GROUND TO WHICH BYELAWS APPLY

The grounds referred to in byelaw 2 are:

Grounds regulated under Section 164 of the Public Health Act 1875

Grounds regulated under Section 15 of the Open Spaces Act 1906

Grounds regulated under Sections 12 and 15 of the Open Spaces Act 1906

Alderman Road Recreation Ground
Alder Carr meadow
Alexandra Park
Allenby Road Open Space
Alvis Walk Play Area
Ashground Plantation
Aster Road Open Space
Bentley Road Play Area
Belstead Road tree belt
Billberry Road Play Area
Birkfield Drive amenity and natural area
Bixley Heath SSSI
Bourne Park
Bourne Reedbed
Bramford Lane Housing Open Space
Bramford Lane Open Space
Bramford Lane Recreation Ground
Braziers Wood
Braziers Wood Road corridor
Braziers Wood Meadow & Carr
Breydon Way Play Area
Bridge Wood (out of IBC)
Broadmere Road Recreation Ground
Broomhill Park North
Broomhill Park South
Bruff Road A LAP 2
Bruff Road B LEAP
Bruff Road C LAP 1
Brunswick Recreation Ground
Bull Road (Foxgrove Gdns B)
Bull Road (Foxgrove Gdns D)
Cambridge Drive
Castle Hill Recreation Ground
Celestion Way (Foxgrove Gardens)
Chantry Green
Chantry Park
Cherry Lane Gardens Play Area
Cherry Lane Recreation Ground
Chesterton Close OS & Play Area A
Chesterton Close Play Area B

Childers Court Play Area (off Sandy Hill Lane)
Cranborne Chase Play Area
Christchurch Park
Compair Crescent
Crown Pools Grass Area
Deben Road Play Area
Dhobi Place Play Area
Downing Close Play Area
Draymans Way Play Area
Dumbarton Road Recreation Ground
Elderberry Road Play Area
Ellenbrook OS & Playing Field
Elm Hill (OCP)
Emperor Circle Play Area
Europa Way
Fenbight Circle Play Areas
Finbars Walk Natural Semi-Natural
Finbars walk Play Area
Foxglove Crescent Amenity Area
Fulham Way Play Area
Gainsborough Sports and Community Centre
Gainsborough SC/Maryon Rd Play Area
Gippeswyk Park
Girton Way Play Area
H G Clarke Gardens
Halifax Road Play Area
Haven Gardens
Havergate Road Play Area
Hawke Road Play Area
Heatherhayes Play Area
Holywells Park
Howard Street Play Area
Inverness Road Open Space
Kettlebaston Way Play Area
Lagonda Drive Play Area
Lambeth Close Play Area
Land adjacent to The Grove
Landseer Park
Loganberry Road Play Area
London Road Tree Belt
Lovetofts Drive Open Spaces
Maidenhall Green
Maple Park Play Area
Margate Road Play Area
Martinet Green Open Space
Maryon Road Wildlife Corridor
Maude Street Play Area
Mitre Way Amenity Area
Moffat Avenue Amenity Area
Monmouth Close Play Area
Morgan Drive Play Area
Mullberry Road Play Area
Murray Road Park
Nacton Road Wildlife Corridor
Newbury Road Recreation Ground
Netley Close Open Space & Tree Belt

Norwich Road Gardens
Orwell Road (Foxgrove Gdns C) Play Area
Pembroke Close
Pipers Vale Play Area
Pipers Vale (OCP)
Pond Hall Carr (OCP)
Provan Court (Foxgrove Gdns E) Play Area
Ranelagh Road amenity area
Ransomes Sports Ground
Rapier Street Play Area
Ravenswood Village Green
Ravenswood Open Spaces
Redhouse Park
Riverside Road Play Area
Riverside Road Meadow
Robin Drive Recreation Ground
Sallows Close Play Area
Salmet Close Play Area
Saturn Road Play Area
Shaftsbury Square Play Area
Sherrington Road Recreation Ground
Shetland Close Play Area
Silk Street Play Area
Sinclair Drive Play Area
Skylark Lane (out of IBC)
Smart Street Play Area
Spring Millennium Woods and Kiln Meadow
Sroughton Road Pond (Wildlife site)
Stoke Bridge Skate Park
Stoke Park Wood
Stonelodge Park
St Augustines Green
Talmash Gardens Play Area
Tanners View Play Area
The Albany Tree Belt
The Dales Open Space
Tower Mill Road ex-Play Area A
Tower Mill Road Play Area B
Tuddenham Road tree belt
Walers Grove
Webb Street Play Area
Westwood Avenue open space
Whitehouse Park
Whitton Church Lane Recreation Ground
Whitton Recreation Ground
Whitland Close Open Space
Whitton Sports and Community Centre
Yarmouth Rd Amenity Area
Yoeman Close Play Area
Anglian Water Jetty
A14 Drainage ditch

SCHEDULE 2
GROUNDS REFERRED TO IN CERTAIN BYELAWS

PART [1]
OPENING TIMES (BYELAW [3](1))

Alexandra Park
Brunswick Road Recreation Ground
Cherry Lane Recreation Ground
Christchurch Park
Maryon Road Play Area
Holywells Park
Murray Road Park
Newbury Road Play Area
Stonelodge Park

PART [2]
**HORSE RIDING PROHIBITED EXCEPT IN CERTAIN GROUNDS (SUBJECT TO
BRIDLEWAY, ETC) (BYELAW [15](1))**

Bramford Lane Recreation Ground

PART [3]
**USE OF MODEL AIRCRAFT PERMITTED ON SPECIFIED DAYS AT SPECIFIED
TIMES (BYELAW [35])**

<i>Name or description of ground</i>	<i>Days and times at which use of model aircraft is permitted</i>
Chantry Park Model Aircraft Area	Wednesdays 1.00pm until 30 minutes before dusk. Saturdays from 10.00am Sundays from 2.00pm

SCHEDULE 3

RULES FOR PLAYING BALL GAMES IN DESIGNATED AREAS (BYELAW 22)

Any person using a designated area for playing ball games is required by byelaw 22 to comply with the following rules:

- (1) No person shall play any game other than those ball games for which the designated area has been set aside.
- (2) No person shall obstruct any other person who is playing in accordance with these rules.
- (3) Where exclusive use of the designated area has been granted to a person or group of persons by the Council for a specified period, no other person shall play in that area during that period.
- (4) Subject to paragraph (5), where the designated area is already in use by any person, any other person wishing to play in that area must seek their permission to do so.
- (5) Except where they have been granted exclusive use of the designated area for more than two hours by the Council, any person using that area shall vacate it if they have played continuously for two hours or more and any other person wishes to use that area.

No person shall play in the designated area when a notice has been placed in a conspicuous position by the Council prohibiting play in that area