

Appendix 1 – Existing 1983 Byelaws

BOROUGH OF IPSWICH

BYELAWS

Byelaws made under Section 164 of the Public Health Act 1875
Section 15 of the Open Spaces Act 1906, and Sections 12 and 15
of the Open Spaces Act 1906 by the Ipswich Borough Council with
respect to the parks, recreation grounds, gardens, amenity areas,
playgrounds, public walks, tree belts and open spaces known
respectively as:-

Grounds regulated under Section 164 of the Public Health Act
1875

Alderman Road Recreation Ground
Alexandra Park
Arboretum – Upper and Lower
Bourne Park
Bramford Lane Recreation Ground
Broadmere Road Recreation Ground
Broomhill Park
Brunswick Road Recreation Ground
Chantry Park
Christchurch Park
Clapgate Lane Recreation Ground
Clapgate Lane Tree Belt
Gippeswyk Park
Ellenbrook Open Space
Holywells Park
Landseer Park
Newbury Road Recreation Ground
Norwich Road Gardens
Pipers Vale
Racecourse Recreation Ground
Robin Drive Children's Playground
Rushmere Recreation Ground
St Augustine's Recreation Ground
The Dales
Victoria Street Play Space
Waller's Grove Open Space
Westwood Avenue/Valley Road Open Space

Grounds regulated under Section 15 of the Open Spaces Act 1906

Belstead Brook Open Space
Cliff Lane Tree Belt
Gainsborough Recreation Ground
Stone Lodge Park

Whitehouse Recreation Ground
Whitton Recreation Ground

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

Airport Recreation Ground
Belstead Road Tree Belt
Castle Hill Recreation Ground
Cherry Lane Recreation Ground
Lime Tree Avenue, Valley Road
Maidenhall Bowls and Tennis Ground
Sandy Hill Play Area
Sherrington Road Park
Tuddenham Road Tree Belt

1. (1) The byelaws relating to parks, pleasure grounds, recreation grounds and public walks which were made by the Ipswich County Borough Council on the 11th July 1949, the 6th December 1949 and the 29th January 1951 and which were confirmed by the Secretary of State on the 8th September 1949, the 15th February 1950 and the 14th June 1951 respectively are hereby repealed.
- (2) In these byelaws, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them:-
 - (a) “The Council” means the Ipswich Borough Council;
 - (b) “Park” means each of the parks, pleasure grounds, recreation grounds, tree belts, public walks, amenity areas, playgrounds, play spaces and open spaces hereinbefore mentioned and includes any part of a park;
 - (c) “Notice” means a notice displayed on a notice board affixed or set up in some conspicuous position in or near to any area of any park to which it relates and any references to the Council doing something by notice or setting any part of any park aside by notice shall be construed accordingly, provided that:-
 - (i) Any notice purporting to set aside any part of any park for any purpose or purposes shall specify the purpose or purposes for which that park is set aside; and
 - (ii) Any notice purporting to prohibit the closing of any thing or entry into any part of any park shall specify the thing prohibited or as the case may be the person or class of persons whose entry to part of any park is prohibited.
 - (d) “Water” means any natural or artificial water, river, stream, pond, lake or ornamental lake, or any paddling pool;

- (e) "Written permission of the Council" means the written permission of the Council's Director of Recreation and Amenities for the time being or such officer as the Council may authorise in that behalf and may be made to persons generally.
2. The Interpretation Act 1978 shall apply to these byelaws as it applies to an Act of Parliament.
 3. A person shall not in any park:-
 - (1) Climb on any wall or fence in or enclosing the park, or any building, tree-barrier, railing, post or seat or any structure or ornament;
 - (2) Remove or displace any barrier, railing, post, seat, ornament or any part of any structure, or any implement provided for use in the laying out or maintenance of the park.
 4. A person shall not except with the written permission of the Council or in the exercise of some lawful right or privilege bring or cause to be brought into any park any cattle, hinny, sheep, pig, goat or deer.
 5. A person shall not except in the exercise of some lawful right or privilege bring or cause to be brought into any of the parks specified below any horse, pony, ass or mule:-

Airport Recreation Ground
Alderman Road Recreation Ground
Alexandra Park
Arboretum – Upper and Lower
Belstead Road Tree Belt
Bourne Park
Bramford Lane Recreation Ground
Broadmere Road Recreation Ground
Broomhill Park
Brunswick Road Recreation Ground
Castle Hill Recreation Ground
Chantry Park (except the part known as "The Meadow")
Cherry Lane Recreation Ground
Christchurch Park
Clapgate Lane Recreation Ground
Clapgate Lane Tree Belt
Ellenbrook Open Space
Gainsborough Recreation Ground
Gippeswyk Park
Holywells Park
Landseer Park
Lime Tree Avenue, Valley Road
Maidenhall Bowls and Tennis Ground
Newbury Road Recreation Ground

Norwich Road Gardens
Racecourse Recreation Ground
Robin Drive Children's Playground
Rushmere Recreation Ground
St Augustine's Recreation Ground
Sandy Hill Play Area
Sherrington Road Park
Stone Lodge Park
The Dales
Tuddenham Road Tree Belt
Victoria Street Play Space
Waller's Grove Open Space
Westwood Avenue/Valley Road Open Space
Whitehouse Recreation Ground
Whitton Recreation Ground

Provided that this byelaw shall not apply to any person taking part in any event or show held in the park with the written permission of the Council.

6. (1) A person shall not except in the exercise of some lawful right or privilege bring or cause to be brought into any park any barrow, truck, machine or vehicle (including a motor vehicle) other than:-
 - (a) a bicycle, tricycle or similar vehicle;
 - (b) a wheelchair, pushchair or perambulator drawn or propelled by hand or powered by battery and used solely for the conveyance of a child or of an invalid or disabled person;
 - (c) any ambulance, fire appliance, police motor vehicle or other emergency motor vehicle being driven or used in the course of an emergency.
- (2) A person shall not ride any bicycle, tricycle or similar vehicle in any park or in any part of any park except in any part of a park which the Council may by notice set aside for that purpose.

Provided that this byelaw shall not apply to persons taking part in any event or show held in the park with the written permission of the Council.

7. A person who brings a vehicle into any park shall not wheel or station it over or upon 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.
8. A person shall not in any park without the written permission of the Council affix, display or post any bill, placard, notice or advertisement.
9. A person shall not in any park enter upon:-
 - (1) Any part of the park where the Council have by notice prohibited such entry;

- (2) Any flower bed, or any ground in the course of preparation as a flower bed or for the growth of any tree, shrub or plant.
10. A person shall not in any park:-
 - (1) Enter any water provided that this provision shall not apply to the proper use by any person of any water set aside by the Council as a swimming pool, bathing area or paddling pool.
 - (2) Foul or pollute any water.
 - (3) Kill, molest or intentionally disturb any animal, bird or fish or engage in hunting, shooting or fishing, or the setting of traps or nets or the laying of snares provided that this provision shall not apply to fishing with the written permission of the Council or to the carrying out with the written permission of the Council of a biological survey in such water as the Council may specify.
 - (4) Float any boat or model boat on any water except on such water as the Council may by notice set aside for such purpose, provided that this provision shall not apply to persons taking part in any event or show held in any park with the written permission of the Council.
 - (5) Make or use any slide so as to cause injury or danger to any other person.
 - (6) Skate on rollers, wheels, skateboards or other mechanical contrivances except in such part of any park as to the Council may by notice set aside for the purpose.
11. A person shall not cause or suffer any dog belonging to him or in his charge:-
 - (1) To remain in any park unless such dog is under proper control and effectively restrained from causing annoyance to any person and from worrying or disturbing any animal and from entering any water provided that a greyhound shall not be deemed to be under proper control unless it is either muzzled or on a lead and provided also that in the parks known as the Upper Arboretum and the Lower Arboretum and that part of Chantry Park known as Chantry Park Gardens a dog shall not be deemed to be under proper control unless it is on a lead.
 - (2) To enter or remain in any part of any park which the Council have fenced off and set aside by notice as a Children's play area or paddling pool.
12. A person shall not in any park drive, pitch or chip a hard golf ball except in such part of any park as the Council may set aside for such purposes.
13. Where the Council by notice set aside any part of a park for the purposes of the playing of any game, and by reason of the manner of playing of such game or in order to prevent damage, danger or inconvenience to other persons frequenting the park, it is necessary for the player or players such game to have the exclusive use of any

space in such part of the park, then a person shall not in any space elsewhere in the park play or take part in any such game so as to exclude persons not playing or taking part in the game from the use of that space.

14. A person resorting to a park and playing or taking part in any game for which the exclusive use of any space in the park has been set aside shall not:-
 - (1) play on the space any game other than the game for which the space is set aside;
 - (2) in preparing for playing or in playing, interfere with the proper use of the park by other persons;
 - (3) when the space is already occupied by other players, begin to play thereon without their permission;
 - (4) where the exclusive use of the space has been granted by the Council for the playing of a match, play on the space later than fifteen minutes before the time fixed for the beginning of the match unless he is taking part therein;
 - (5) play or take part in any game when the state of the ground or other cause makes the space unfit for the purpose of playing that game and the playing of such game or of any games is prohibited by notice.

15. A person shall not in any park:-
 - (1) Erect any post, rail, fence, pole, tent, booth, stand or other structure except with the written permission of the Council provided that where the Council grant consent for the use of any park or any part of any park for any particular purpose and that purpose cannot reasonably be accomplished without the erection of any such things as aforesaid then the Council shall be deemed to have given written permission for the erection of any such thing.
 - (2) Sell, offer or expose for sale, let or hire, or offer or expose for letting or hiring any commodity or article whatsoever except with the written permission of the Council.
 - (3) By operating, or causing or suffering to be operated any radio, cassette recorder or other similar machine or by playing any musical instrument, singing or shouting make or cause or suffering to be made any noise which is so loud, continuous or repeated as to give reasonable cause for annoyance to other persons in the park.

16.
 - (1) No person in any park shall release any jet-propelled or rocket-propelled model aircraft for flight or control the flight of such aircraft.
 - (2) No person shall cause any jet-propelled or rocket-propelled model aircraft to take off or land in any park.

- (3) No person shall in any park release any power driven model aircraft for flight or control the flight of such an aircraft or cause such an aircraft to take off or, subject to 16(4) below, to land in any park with the exception of that part of Chantry Park which the Council has by notice set aside for the purpose of flying power driven model aircraft.
- (4) No person in Chantry Park shall release any power driven model aircraft for flight, or control the flight of such an aircraft, in any part of Chantry Park other than that part which the Council has by notice set aside for the purpose of the flying of power driven model aircraft and no person shall:-
 - (a) cause such an aircraft to take off; or
 - (b) without reasonable excuse, cause such an aircraft to land, other than in that part of Chantry Park so set aside.
- (5) No person shall:-
 - (a) in any park release any power-driven model aircraft for flight or control the flight of such an aircraft; or
 - (b) cause any such aircraft to take off or land in any park; unless it is either attached to a control line or is radio-controlled.
- (6) For the purpose of this byelaw unless the context otherwise requires:-
 - (a) “model aircraft” means an aircraft which either weights not more than 5 kilogrammes without its fuel or is for the time being exempted (as a model aircraft) from the provisions of the Air Navigation Order;
 - (b) “power driven” means driven by combustion of petrol vapour or other combustible vapour or other combustible substances or by one or more electric motors or by compressed gas;
 - (c) “radio controlled” means controlled by a radio signal from a wireless transmitter or similar device;
 - (d) “jet propelled or rocket-propelled” means driven by a 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 2.5 centimetres in length.
17. A person shall not in any park fly, or cause or permit to be flown any kite in such a manner as to cause a nuisance or annoyance to any other person using the park.
18. A person who has attained the age of 15 years, shall not, in any park, use any apparatus which has been provided and is indicated by notice to be for the exclusive use of children below that age.

19. A person shall not in any park:-
- (1) intentionally obstruct, disturb, or annoy any other person in the proper use of the park;
 - (2) intentionally obstruct any person in the proper execution of any work in connection with the laying out or maintenance of the park;
 - (3) intentionally obstruct any officer or employee of the Council in the execution of his duty or obstruct any person assisting an officer of the Council in the execution of his duty.
20. An act necessary for or incidental to the proper execution of his duty in the park by an officer of the Council, or by any person or servant of any person employed by the Council, shall not be deemed to be an offence against these byelaws.
21. A person who contravenes any of the provisions of these Bye-laws shall be liable on summary conviction to a fine not exceeding £50.
22. Every person who shall infringe any byelaw for the regulation of any park 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:-
- (i) where the infraction of the 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;
 - (ii) where 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 grounds for belief that the continuance in the park of the person infringing the byelaw may result in another infraction of a byelaw or that the removal of such person from the park is otherwise necessary as a security for the proper use and regulation thereof.
23. These Bye-laws may be cited as the Borough of Ipswich (Parks) Bye-laws 1983.

THE COMMON SEAL of
IPSWICH BOROUGH COUNCIL
was hereunto affixed on the 26th October 1983
in the presence of:-

(sgnd) D K GRIMWOOD
Mayor

(sgnd) MICHAEL A EVANS
Director of Administration

The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into operation on the 15th day of February 1984.

Signed by the authority of the Secretary of State

G I de DENEY
An Assistant Under-Secretary of State

1 FEB 1984
Home Office
LONDON, SW1

I hereby certify pursuant to Section 238 of the Local Government Act 1972 that:

- (1) the Borough of Ipswich (Parks) Bye-Laws 1983 were made by the Ipswich Borough Council on 26 October 1983;
- (2) the Bye-Laws printed herein are a true copy of the said Bye-Laws;
- (3) the said Bye-Laws were confirmed by the Secretary of State on 1 February 1984;
- (4) the date fixed by the Secretary of State for the coming into operation of the Bye-Laws was 15 February 1984.

M A Evans
Director of Administration
Ipswich Borough Council
the Property Officer to make
this certification