



NORTH WALSHAM TOWN COUNCIL

BYELAWS

made by

NORTH WALSHAM TOWN COUNCIL

**By virtue of powers conferred on the Town Council
By 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)
With respect to The War Memorial Park, Yarmouth Road, North Walsham**

**PLEASURE GROUNDS, PUBLIC WALKS AND
OPEN SPACES
WITHIN THE DISTRICT OF NORTH NORFOLK**

For regulating the use of Pleasure Grounds, Public Walks and Open Spaces

2021

**North Walsham Town Council
18 King's Arms Street
North Walsham NR28 9JX**



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NORTH WALSHAM TOWN COUNCIL

18 King's Arms Street, North Walsham NR28 9JX

**THE WAR MEMORIAL PARK, YARMOUTH ROAD
NORTH WALSHAM**

BYELAWS FOR PLEASURE GROUNDS, PUBLIC WALKS AND OPEN SPACES

Byelaws made by North Walsham Town Council 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 North Walsham Town Council with respect to the War Memorial Park, Yarmouth Road, North Walsham [Pleasure Grounds, Public Walks and Open Spaces]

[PART 1] GENERAL

General Interpretation

1. In these byelaws :

- “the Council”** means the North Walsham Town Council
- “the Ground”** means The War Memorial Park, Yarmouth Road, North Walsham
- “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 The War Memorial Park, Yarmouth Road, North Walsham

Opening times

3. “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.

[PART 2]

PROTECTION OF THE GROUND, ITS WILDLIFE AND THE PUBLIC

Interpretation of Part 2

In this part :

“Sky lantern” means 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 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 placed

Unauthorised erection of structures

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

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.

Grazing

7. No person shall without the consent of the Council turn out or permit any animal for which they are responsible to graze in the ground.

Protection of wildlife

8. No person shall kill, injure, take or disturb any animal or engage in hunting or shooting or the setting of traps or the laying of snares or poison.

Camping

9. No person shall without the consent of the Council erect a tent or use a vehicle, caravan or other structure for the purpose of camping.

Fires

10. (1) No person shall without the consent of the Council :
- (a) light a fire or
 - (b) BBQ
 - (2) place, throw or drop a lighted match or any other thing likely to cause a fire or
 - (3) release a lighted sky lantern into the atmosphere

(2) Byelaw (1) shall not apply to the lighting of a fire at any event for which the Council has given permission that fires may be lit

Missiles

11. (1) No person shall :
- (a) throw or use any device to propel or discharge in the ground any object which is liable to cause injury to any other person.
 - (b) light or throw any firework

(2) Byelaw 11.(b) does not apply to any person holding or taking part in any entertainment or event held with the consent of the Council.

Interference with life-saving equipment

12. No person shall except in the 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 :

“motor vehicle” means a mechanically propelled vehicle, and motor cycle other than an invalid carriage the weight of which does not exceed 410 kilograms

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

Horses

13. No person is permitted to ride, walk or bring a horse into the ground without the consent of the Council.

Cycling

14. No person shall cycle on any footway in such a manner as to cause danger or give reasonable grounds for annoyance to other persons using the footway

Motor cycles and motor vehicles

15. No person shall without the consent of the Council bring into or drive in the ground a motor cycle, motor vehicle or trailer but emergency vehicles can enter the ground at any time.

Overnight parking

16. (a) No person shall without the consent of the Council leave or cause or permit to be left any motor vehicle or trailer in the ground
(b) No person shall park so as to block the entrance to the ground

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.

“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 area

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

Children’s play apparatus

18. 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.

Ball Games

19. A person may play ball games within the ground and for which there is no designated area but not so as to cause, nuisance or danger.

Archery/Golf/Cricket/Field Sports

20. No archery, golf, cricket or field sports will take place within the ground without the consent of the Council.

PART [5]
MODEL AIRCRAFT AND DRONES

Interpretation of Part [5]

In this Part:

“model aircraft” means an unmanned 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

“radio control” means control by a radio signal from a wireless transmitter or similar device.

“drone” means an unmanned aircraft, normally flown by a pilot from a distance using a remote control station that communicates instruction to the drone.

General Prohibition

21. No person shall without the consent of the Council cause any power driven model aircraft or drone to :
- (a) take off or otherwise be released for flight or control the flight of such an aircraft or drone in the ground or
 - (b) land in the ground without reasonable excuse.

PART [6]
OTHER REGULATED ACTIVITIES

Provision of services

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

Excessive noise

23. (1) No person shall, after being 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
 - (c) by operating or permitting to be operated any radio, amplifier, tape recorder or similar device.
- (2) Byelaw 24.(1) above does not apply to any person holding or taking part in any entertainment or event held with the consent of the Council.

Public shows, organised activities and performances

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

Kites

25. 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

26. 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 [7] MISCELLANEOUS

Obstruction

27. No person shall obstruct :
- (a) any officer of the Council in the proper execution of his 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

28. (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 his duty.
- (2) Nothing in or done under these byelaws shall in any respect prejudice or i 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

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

Penalty

30. 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

31. The Byelaws made by the Urban District Council of North Walsham on in 1949 and confirmed by North Walsham Town Council on (to be completed) relating to the ground are hereby revoked

SCHEDULES
SCHEDULE 1
GROUND TO WHICH BYELAWS APPLY [GENERAL]

The ground referred to in the Byelaws Part 1 – General – Application 2 is The War Memorial Park, Yarmouth Road, North Walsham Norfolk

Given under the COMMON SEAL of)
NORTH WALSHAM TOWN COUNCIL)
this day of 2021)

Mayor

Deputy Mayor

The foregoing Byelaws are hereby confirmed by the Secretary of State and shall come into operation one calendar month after the date on which the consent of the Department of

Signed by the Secretary of State