

Leicester City 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 and sections 12 and 15 of the Open Spaces Act 1906 by the Leicester City Council with respect to pleasure grounds, public walks and open spaces.

PART 1 GENERAL

General Interpretation

1. In these byelaws:

“the Council” means Leicester City 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 unless otherwise stated.

Opening times

3. (1) No 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

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. 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 or disturb any animal, or engage in hunting or shooting or the setting of traps or the laying of snares.

Gates

9. (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 9(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

10. 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

11. (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 11(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; or
- (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

12. 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.

PART 3

HORSES, CYCLES AND VEHICLES

Interpretation of Part 3

13. 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

14. (1) No person shall ride a horse except:

(a) on a designated route for riding; or

(b) in the exercise of a lawful right or privilege.

(2) Where horse-riding is permitted by virtue of byelaw 14(1)(a) 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

15. No person shall without reasonable excuse 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.

Motor vehicles

16. 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 or a designated route for that class of vehicle.

Overnight parking

17. 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

18. 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 in charge of 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, etc

21. No person shall skate, slide or ride on rollers, skateboards or other self-propelled vehicles in such a manner as to cause danger or give reasonable grounds for annoyance to other persons.

Ball games

22. (1) No person shall play ball games in the grounds listed in Part 2 of Schedule 2.
23. 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.
24. 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

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

Archery

26. 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

27. 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

28. No person shall drive, chip or pitch a hard golf ball except on Knighton Park Pitch and Putt course.
29. (1) No person shall play golf on Knighton Park Pitch and Putt course unless he holds a valid ticket issued by or on behalf of the Council entitling him to do so, which ticket shall be retained and shown on demand to any authorised officer or agent of the Council.
- (2) No person shall enter on to or remain on Knighton Park Pitch and Putt course unless:
- (a) taking part in the game of golf or accompanying a person so engaged; or
 - (b) doing so in the exercise of a lawful right or privilege.
- (3) No person shall offer his service for hire as an instructor on Knighton Park Pitch and Putt course without the consent of the Council.

PART 5

WATERWAYS

Interpretation of Part 5

30. 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

31. No person shall without reasonable excuse bathe or swim in any waterway except in a designated area for bathing and swimming.

Ice skating

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

Model boats

33. No person shall operate a power-driven model boat on any waterway except in a designated area for model boats.

Boats

34. No person shall sail or operate any boat, dinghy, canoe, sailboard or inflatable on any waterway without the consent of the Council.

Fishing

35. 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.

Pollution

36. No person shall foul or pollute any waterway.

Blocking of watercourses

37. 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

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 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 41(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 and hot air 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 or hot air 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 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

44. 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

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 his 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. (a) Byelaws 3,4,5,6,7,8,9,10,12,13,14,15,17,20 made by Leicester City Council on 5th December 1958 and confirmed by the Secretary of State for the Home Office on 16 February 1959 relating to the ground are hereby revoked.
- (b) Byelaws made by Leicester City Council on 18th November 1968 and confirmed by the Secretary of State on 24th January 1969 are hereby revoked.
- (c) Byelaw 2 made by Leicester City Council on 28th July 1971 and confirmed by the Secretary of State for the Home Office on 4th October 1971 are hereby revoked

SCHEDULES

SCHEDULE 1

GROUNDS TO WHICH BYELAWS APPLY GENERALLY

Abbey Grounds	Featherstone Drive Open Space
Abbey Park	Fosse Road Recreation Ground
Aikman Avenue Open Space	Foxcroft Close Open Space
Allexton Gardens Open Space	Gelert Avenue Open Space
Ambassador Road Nature Reserve	Gilmorton Avenue Open Space
Appleton Park	Glaisdale Close Open Space
Astill Park	Glovers Walk
Aylestone Hall Gardens	Goldhill Spinney
Aylestone Meadows	Goss Meadows Nature Reserve
Aylestone Playing Fields	Hamilton Park & Greenways
Aylestone Recreation Ground	Heacham Drive Open Space
Barfoot Road Open Space	Heard Walk Open Space
Battersbee Road Open Space	Her Ladyship's Covert
Beaumont Lodge Nature Area	Highway Road Open Space
Beaumont Park	Holmwood Drive Open Space
Bede Island Park	Humberstone Community Gardens
Belgrave House Gardens	Humberstone Park
Belgrave Meadows	Ingold Avenue Open Space
Birstall Meadows	Jean Drive Open Space
Braunstone Park	Kamloops Crescent Open Space
Brent Knowles Gardens	Keepers Lodge Park
Brewer Close Open Space	Keyham Lane
Bridge Road Open Space	King St / New Walk Corner
Brocklesby Way Open Space	Kingscliffe Crescent Open Space
Castle Gardens	Kirby Frith
Castle Hill Park	Knighton Park
Chapel Lane Gardens	Langley Walk Open Space
Chiltern Green Open Space	Lily Marriott Gardens
Christopher Drive Open Space	Loughborough Road Open Space
Church Lane	Loughborough Road Play Area
Churchfield Doorstep Green	Maidstone Road Play Area
Clarendon Park Road Play Area	Manor Farm Open Space
Clipstone Street Play Area	Manor House Play Area
Colbert Drive	Martin Street
Coleman Road Playground	Meadow Garden Recreation Ground
Cossington Street Recreation Ground	Meadvale Road Open Space
Crafton Street East Open Space	Meynells Gorse
Craven Recreation Ground	Mill Hill
Darenth Drive Open Space	Milton Crescent Open Space
Dawson Way Open space	Monks Rest Gardens
De Montfort Square	Montrose Road Open Space
Dysart Way Open Space	Montrose Road Play Area
Eastleigh Road Play Area	Mowmacre Sports Ground
Elston Fields Open Space	Museum Square
Evington Park	Nagel Grove Open Space
Evington Place Play Area	Nelson Mandela Park
Evington Village Green	Netherhall Open Space
Farrier Lane Green Spaces	Ocean Road Open Space

Onslow Street Play Area	St. Helens Close Open Space
Orchardson Avenue Open Space	St. Saviours Road Play Area
Overton Road Play Area	Stokes Wood Park
Oxendon Street Play Area	Stonesby Avenue Open Space
Phoenix Plaza	Stoughton Street South Play Area
Piggy's Hollow	Strasbourg Drive Open Space
Prebend Gardens	Sturdee Road Recreation Ground
Queens Park Way Open Space	Sulgrave Road Play Area
Rancliffe Gardens Nature Area	The Glebelands Open Space
Ranworth Walk Open Space	The Oval
Richard III Road	The Rally
Robert Hall Street	Thirlmere Street Gardens
Ross Walk Play Area	Thurcaston Road Play Area
Rushey Fields Recreation Ground	Upper Temple Walk Play Area
Ryder Road Play Area	Vernon Street Play Area
Scotswood Crescent Recreation Ground	Victoria Park
Scraptoft Local Nature Reserve	Victoria Road East
Sedgebrook Road Open Space	Vulcan Road Play Area
Shady Lane	War Memorial Approach
Shady Lane Arboretum	Washbrook Nature Area
Shady Lane Verge	Watermead Country Park
Sharmon Crescent Play Area	Watermead Ecology Park
Soar Lane Amenity Area	Watermead Park
Sonning Road Open Space	Westcotes Gardens and Play Area
South Castle Park	Westcotes Park
Southey Close Open Space	Western Park
Sparrow Park	Whippet Field
Spinney Hill Park	Willowbrook Park
St Mary's Triangle	Windmill Park
St. George Street Amenity Area	Woodborough Road Open Space

SCHEDULE 2

GROUNDS REFERRED TO IN CERTAIN BYELAWS

PART 1

OPENING TIMES (BYELAW 3(1))

Abbey Grounds
Abbey Park
Aylestone Hall Gardens
Castle Gardens
Clarendon Park Road Play Area
Eastleigh Road Play Area
Humberstone Community Gardens
Prebend Gardens
Vernon Street Play Area
Westcotes Gardens and Play Area
Westcotes Park

PART 2

BALL GAMES PROHIBITED (BYELAW 22)

Aylestone Hall Gardens
Belgrave House Gardens
Castle Gardens
Humberstone Community Gardens
Prebend Gardens
Westcotes Gardens and Play Area

SCHEDULE 3

RULES FOR PLAYING BALL GAMES IN DESIGNATED AREAS (BYELAW 24)

Any person using a designated area for playing ball games is required by byelaw 24 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.
- (6) 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.