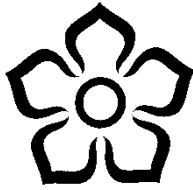


## Full Council Report



Leicester  
City Council

**WARDS AFFECTED**  
All

### **FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:**

#### **FULL COUNCIL**

13<sup>th</sup> June 2019

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## **Park & Open Space Byelaw Adoption**

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### **Report of the Park & Open Space Byelaw adoption**

#### **1. PURPOSE OF REPORT**

- 1.1. This report provides details of the work undertaken to establish Park & Open Spaces byelaws and to provide an overview on the consultation process used and to recommend that the Authority pursue with the implementation of the revised byelaws.

#### **2. SUMMARY**

- 2.1. Byelaws are 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.
- 2.2. The current LCC byelaws were introduced in 2009 and include all of the relevant sites managed by Parks & Open Spaces that were owned by the Council at that time.
- 2.3. Since the byelaws were introduced some sites have changed names, eg. Nagle Grove became Jesse Jackson Park and new sites have been acquired or developed, e.g. Jubilee Square, and the byelaw schedule has become out of date and requires refreshing.
- 2.4. The Council is required to use the wording for individual byelaws as set out in the set of model byelaws produced by the Ministry Housing, Communities & Local Government (MHCLG) and must make an assessment on a site by site basis to warrant the need for each individual byelaw. When reviewing byelaws

the local authority should consider whether the byelaw needs to be retained at all as it may now no longer be required. For example, the issue the byelaw addressed may now be addressed through national legislation.

- 2.5. A full review of the new model byelaws, which were introduced by the MHCLG on the 07 September 2018, has been undertaken by the Council with each byelaw assessed against the identified sites managed by the Council and these have been grouped into schedules to apply to specific byelaws.
- 2.6. Based on the above process the model byelaws are bespoke to meet the Council's requirements.
- 2.7. The key changes between the existing and the proposed byelaws are as follows:
  - 2.7.1. Gates (previous byelaw 9). This byelaw, which specifies the closing of gates, has been removed as it is not relevant to our sites and is more in keeping with sites with grazing stock.
  - 2.7.2. Interference with life-saving equipment (new byelaw 12.) This byelaw has been added to give protection of a range of potential life saving equipment, e.g. defibrillators.
  - 2.7.3. Skateboarding (new byelaw 18). This byelaw has been added to restrict the use of skateboards in a selection of locations, mainly churches, which are unsuitable for this activity.
  - 2.7.4. Children's play apparatus (previous byelaw 20). The children's play apparatus byelaw has been deleted, this specifies that children over the age of 14 are not permitted to use play equipment.
  - 2.7.5. Golf (removal of byelaw 29). This byelaw applied to the pitch and putt at Knighton Park which is no longer in use.
  - 2.7.6. Model aircraft (new byelaw 31). This byelaw controls the flying of model aircraft which includes drones on the grounds of health and safety, privacy and data protection.
  - 2.7.7. Waterways pollution and blocking of watercourses (removal of byelaws 36 and 37.) These byelaws have been removed from the set of model byelaws by the MHCLG on the grounds that there is adequate legislation to control this issue.
  - 2.7.8. Metal detectors (previous byelaw 43 now bylaw 37). This byelaw continues to protect certain areas, e.g. scheduled monuments, however it has been applied to allow a level of relaxation at non critical locations.

### **3. RECOMMENDATIONS**

- 3.1. The byelaws made by Leicester City Council on 13 August 2008 and confirmed by the Secretary of State, Ministry of Housing, Communities and Local Government on the 05 April 2009 relating to the ground are to be revoked in line with the adoption process.
- 3.2. Agree to the adoption and implementation of the revised model byelaws in relation to Parks and Open Spaces as confirmed by Secretary of State, Ministry of Housing, Communities and Local Government on the 28 February 2019

#### **4. REPORT**

##### **Consultation process:**

- 4.1. As part of the regulatory assessment process of reviewing the set of model byelaws to be introduced by the Council a formal consultation process was undertaken.
- 4.2. The consultation was live for a period of four weeks from the 08 October 2018 until the 05 November 2018 and was available on-line on the Councils consultation webpage:  
<https://consultations.leicester.gov.uk/communications/parks-byelaws/>.
- 4.3. The consultation was also advertised on all 12 main parks across the city via onsite notice boards and it was emailed direct to 35 internal and external stakeholders who were also asked to share where relevant.

#### **5. Consultation feedback**

- 5.1. As a result of the consultation process the Council only received 36 responses of which 32 people/groups left feedback or comments, these are contained in the consultation feedback report. It is assumed that parks users are accustomed to the existing byelaws which were introduced in 2009 and this is reflected in the low response.
- 5.2. There were no proposed changes to be made to the suggested model byelaws as a result of minimal input received and no overwhelming objections or identification of needs. None of the comments received identified any ways the proposed byelaws would impact on consultees because of their protected characteristic(s) and there were no service access barriers identified that could or would affect consultees from accessing services/other opportunities that meet their needs. An equality impact assessment has been completed and forms part of the regulatory assessment.

#### **6. Regulatory assessment:**

- 6.1. Following the consultation a feedback report was published on the consultation pages which included an assessment of the proportionality of the proposed byelaws.

- 6.2. An application to introduce the byelaws was submitted on the 02 February 2019 to the MHCLG for approval along with the regulatory assessment,
- 6.3. The Secretary of State gave leave for the Council to make the proposed byelaws on the 28 February 2019.
- 6.4. In line with the formal process the Council gave notice that it intended to introduce the new byelaws in the local press and on our website. The notice allows a further consultation period of 28 days, within which the public had the opportunity to inspect the draft byelaws and an address to which representations could be made.
- 6.5. There were only two comments submitted, one was 'no comment' and the other queried if the byelaws applied to Council officers.
- 6.6. Following the consultation period the Council has six months to decide whether or not to make the byelaws under the common seal of the council, signed and dated.
- 6.7. At least seven days before the byelaw comes into force, the local authority must publicise the making of the byelaws, including on its own website.

## **7. FINANCIAL, LEGAL AND OTHER IMPLICATIONS**

### **7.1. Financial Implications**

There are no significant financial implications arising directly from this report - Colin Sharpe, Head of Finance, Ext. 37 4081

### **7.2. Legal Implications**

As detailed in the report, the Council has followed the prescribed process for the introduction of the new byelaws and has been granted leave by the Secretary of State for the Council to make byelaws for pleasure grounds, public walks and open spaces.

The revocation of the existing byelaws and the implementation of new byelaws requires the approval of Full Council in accordance with article 4.02(h) of the Council's Constitution.

Jeremy Rainbow – Principal Lawyer (Litigation) – Ext. 371435

### **7.3. Climate Change and Carbon Reduction Implications**

There are no significant climate change implications associated with this report.

Aidan Davis, Sustainability Officer, Ext 37 2284

### **7.4. Equalities Implications**

Under the Equality Act 2010, public authorities have a continuing Public Sector Equality Duty (PSED) which means that, in making decisions and carrying out their activities they have a statutory duty to pay due regard to the need to eliminate unlawful discrimination, harassment and victimisation, to advance equality of opportunity between people who share a protected characteristic and those who don't and to foster good relations between people who share a protected characteristic and those who don't.

Protected Characteristics under the Equality Act 2010 are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

The guidance for councils on making, amending and revoking byelaws states that it is for local councils to determine that they take account of the requirements of the Equality Act 2010. An equality impact assessment has been undertaken and the findings of this, along with the detailed consultation findings should be taken into account in making a decision about whether to support the recommendations to adopt and implement the revised model byelaws. The response rate for the consultation was low and, possibly due to low numbers, are not fully representative of Leicester's population in terms of equality monitoring across all protected characteristics. Having said this, where potential impacts may be more likely, interest groups/ representative groups were contacted directly for example, the Leicester Disabled Action Group and the Older Peoples Forum were contacted for input. This approach is reflected in the response rate for these user groups, despite low numbers. The particular equalities related themes that arose as part of the consultation were with regards to the current negative impact on pedestrians of inconsiderate or inappropriate cycling and use of skateboards, particularly for those with certain disabilities or those who are older in age. It is proposed that the restrictions on cycling are retained in the updated byelaws and that a restriction on the usage of skateboards in particular locations be adopted.

Hannah Watkins Equalities Manager ext. 375811

**7.5. Other Implications**

None identified.

**8. Background Information and Other Papers Equalities Implications**

None.

**9. Summary of Appendices**

Regulatory report submitted to MHCLG, including consultation report and EIA.

10. **Is this a private report (if so please indicate the reasons and state why it is not in the public interest to be dealt with publicly)**

No.

11. **REPORT AUTHOR**

11.1. Victoria Hudson, Community Development Manager, Park Services.  
Ext.37 4474

**Regulatory Assessment  
of Leicester City Councils proposed  
byelaws 2018**

## **Introduction**

In 2018 Leicester has an estimated population of 542,547 residents, Leicester is the largest city in the East Midlands and the Tenth largest in the country. Leicester City Council Parks & Open Spaces Services is responsible for the management and maintenance of over 3,088 acres (1,638 hectares) of parkland and open space across the city approximately 22 per cent of the city area.

Including:

- 153 local parks
- 2 Green Flags
- 3,078 allotment plots
- 178 play areas
- 23 ball courts
- 4 Skate Parks
- 5 BMX
- 2 Parkour
- Over 150,000 trees & 107 hectares of woodland
- 4 Cemeteries and 1 Crematorium
- 31 Outdoor gyms
- Sports facilities
- Over 8 million users per year
- Leicester Environmental Volunteer Service which achieves 9000 volunteer engagements and 60,000 volunteer hours annually

In addition, Park Services carries out work for a number of areas of the council, from housing estates, playing fields, highway verges to small factory units. This includes grounds maintenance, tree management, landscape construction and bereavement services. We currently have a team of 7.5 Park Warden posts that manage all site health & safety monitoring and enforcement across all publicly accessible parks and green spaces in the city.

## **Enforcement background**

When using our parks and open spaces, it is important that certain rules are followed to ensure they remain safe and clean for everyone to enjoy. We try to make sure everyone can enjoy our publicly accessible green spaces safely. To do this we have a number of byelaws, policies and guides in place. We encourage people to enjoy our parks as fully as possible, however there are circumstances where without the correct permissions, you may have to abandon your activity or be prevented from continuing if the activity is already underway.

Leicester City Council uses a variety of legislative powers including its current byelaws to address crime and anti-social behaviour. The authority has a number of warranted officers within various environmental teams including Parks Services who



have the legal powers to issue fixed penalty notices or take alternatives actions under a variety of these powers, please see link for more information <https://www.leicester.gov.uk/media/177541/fixed-penalty-notices-guidance.pdf>.

## **Why amend Leicester's current Parks Byelaws**

Byelaws are 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.

The current byelaws were introduced in 2009 and include all of the relevant sites managed by Parks & Open Spaces and owned by the Council at that time.

Since the byelaws were introduced some sites have changed names, eg. Nagle Grove became Jesse Jackson Park and new sites have been acquired or developed, eg. Jubilee Square, and the byelaw schedule has become out of date and requires refreshing.

The Council is required to use the wording for individual byelaws as set out in the set of model byelaws produced by the Ministry Housing, Communities & Local Government (MHCLG) and must make an assessment on a site by site basis to warrant the need for each individual byelaw. When reviewing byelaws the local authority should consider whether the byelaw needs to be retained at all as it may now no longer be required. For example, the issue the byelaw addressed may now be addressed through national legislation.

A full review of the new model byelaws, which were introduced by the MHCLG on the 07 September 2018, has been undertaken by the Council with each byelaw assessed against the identified sites managed by the Council and these have been grouped into schedules to apply to specific byelaws.

Based on the above process the model byelaws are bespoke to meet the Council's requirements.

The key changes between the existing and the proposed byelaws are as follows:

### **Gates (previous byelaw 9)**

This byelaw, which specifies the closing of gates, has been removed as it is not relevant to our sites and is more in keeping with sites with grazing stock.

### **Interference with life-saving equipment (new byelaw 12)**

This byelaw has been added to give protection of a range of potential life saving equipment, eg. defibrillators.

### **Skateboarding (new byelaw 18)**

This byelaw has been added to restrict the use of skateboards in a selection of locations, mainly churches, which are unsuitable for this activity.

Children’s play apparatus (previous byelaw 20)

The children’s play apparatus byelaw has been deleted, this specifies that children over the age of 14 are not permitted to use play equipment.

Golf (removal of byelaw 29)

This byelaw applied to the pitch and putt at Knighton Park which is no longer in use.

Model aircraft (new byelaw 31)

This byelaw controls the flying of model aircraft which includes drones on the grounds of health and safety, privacy and data protection.

Waterways pollution and blocking of watercourses (removal of byelaws 36 and 37)

These byelaws have been removed from the set of model byelaws by the MHCLG on the grounds that there is adequate legislation to control this issue.

Metal detectors (previous byelaw 43 now bylaw 37)

This byelaw continues to protect certain areas, eg. scheduled monuments, however it has been applied to allow a level of relaxation at non critical locations.

### **The legal process and timeframes to review Byelaws**

There is a clearly defined process to be followed to demonstrate the formal process of review, consideration and adoption has been undertaken before legal approval for utilisation is granted.

<b>Legal adoption process</b>	<b>Timeframe</b>
Equality Impact Assessment	26 November 2018
Consultation	05 November 2018
Review feedback and produce consultation report	Comp 19 November 2018,(published on-line following Deputy Mayor briefing 14 December 2018)
Produce Regulatory assessment –	Comp 19 November 2018
Submit application to MHCLG	01 February 2019 (allow 30 days)
Notice of intent published on website	March 2019
Consultation period 28 days	April 2019
<b>Full Council Meeting</b>	<b>June 2019</b>
<b>Seal byelaws</b>	<b>June 2019</b>
<b>Publish introduction of byelaws</b>	<b>July 2019</b>

Part of the formal regulatory assessment process requires us to be able to answer a number of key questions, as detailed below.

## **What is the objective of the proposed byelaw?**

Park Services undertook a workshop of key officers from Community Development, Parks Security, Parks Development and technical support to utilise their knowledge and first-hand experience of managing the city's parks and open spaces. These officers have a wealth of knowledge in terms of each site's historic crime and anti-social behaviour issues. The workshop attendees reviewed a number of key points,

1. Updating list of city sites.
2. Identifying additional new sites.
3. Identifying and removing sites which no longer exist as a park or public open spaces.
4. Review existing byelaws that apply to each site and identify any that are no longer relevant.
5. To review the MHCLG model byelaws, identify the new byelaws available for adoption, discuss and agree which new byelaws are applicable to Leicester City's Parks and Open Spaces. This was based on officer knowledge, police and anti-social behaviour reports and statistics.
6. To create the byelaw clause answers, identifying why each byelaw was proposed for adoption and implementation with LCC's Park & Open Spaces byelaws.

Please see clause answers included in the appendix 1.

## **Could the objective be achieved in any other way, short of a byelaw?**

No as no alternative legislative measures already exist that could be used to address the problem addressed via each byelaw. Many of the proposed byelaws are not new to our authority most having been in place for several years already and have been proven to allow proportionate and reasonable enforcement of acceptable behaviour.

## **What will be the impact of the byelaw upon those affected by it?**

We undertook a full public consultation process, reviewed the findings and have completed a full Equality Impact Assessment with our Equalities Team. There were no impacts identified for any service users.

## **Will the proposed byelaw increase, or decrease, the regulatory burden imposed upon those affected by it, and can the local authority express this increase or decrease as a financial cost or benefit?**

There would be no increased financial burden to Leicester City Council as a result of the regulatory burden placed upon us as a result of byelaw adoption and implementation. This is largely as we already utilise the majority of the byelaws being adopted and this current application has been more in line with reviewing and updating our existing byelaws

Leicester City Council utilise the byelaws as a regulatory tool not a means to charge for access or land usage. Whilst some specialist event applications may require byelaw approval, associated costs would be included in the events overall cost and ticket sales would be priced accordingly.

## **How does making the proposed byelaw compare with taking no further action?**

Leicester City Council has proactively utilised its adopted byelaws to enforce acceptable behaviour and address anti - social behaviour in a proportionate and reasonable manner. Byelaws are one of our most valuable and well used enforcement legislation tools that aid our Parks Warden team to support the provision of safe parks and green spaces for all to use. The process of reviewing annually and updating as required is essential to ensuring the changes in sites, site usage and our communities' needs are met.

## **Public consultation summary of results**

The consultation was live for a period of 4 weeks (08/10/2018 – 05/11/2018) via <https://consultations.leicester.gov.uk/communications/parks-byelaws/>. The consultation was also advertised on all 12 main parks across the city via onsite notice boards. It was emailed to 35 internal and external stakeholders who were also asked to share where relevant.

### **Internal consultees:**

Executive Lead 28/09/2018  
Community Safety 28/09/2018  
Estates & Buildings 28/09/2018  
Festival & Events 28/09/2018  
Health Services 28/09/2018  
Highways team 28/09/2018  
Legal Services 28/09/2018  
P&OS management team 28/09/2018  
Planning, City Archaeologist 28/09/2018  
Planning, Nature Conservation Officer 28/09/2018  
Standards & Development, inc City Wardens 28/09/2018  
Sports Services 28/09/2018  
Ward Councillors 28/09/2018  
Trees & Woodlands 28/09/2018

### **External consultees:**

Leicester Environmental Volunteers 18/10/2018  
Environment Agency 23/10/2018  
British Model Flying Association 28/09/2018  
Environment Agency 28/09/2018  
Leicester Dioceses 28/09/2018  
Leicester Disabled Action Group 28/09/2018  
LFRS 28/09/2018  
National Council for Metal Detecting 28/09/2018  
Abbey Park Friends of Group and User Group 28/09/2018  
Aylestone Meadows Appreciation Society 12/10/2018  
The Friends of Knighton Park 01/10/2018  
The Friends of Victoria Park 01/10/2018

Leicestershire Wildlife Trust 01/10/2018  
The Friends of Aylestone Hall Gardens 12/10/2018  
Braunstone Park Art Club 12/10/2018  
Braunstone Park History Club 12/10/2018  
Winstanley Hotel/ Braunstone Park 12/10/2018  
Police 28/09/2018  
The Department for Culture, Media and Sport, Buildings, Monuments and Sites  
Division 28/09/2018  
Braunstone Park Model Aircraft Club – 28/09/18  
Forum for Older People 31/10/18

### **Responses Received**

There were **36** responses received. The ethnicity responses and percentages are included below and within the full summary within the public consultation report, detailed at Appendix 2.

White British - 25 Responses = 69.44%  
Prefer not to say – 4 Responses = 11.11%  
White European – 2 Responses = 5.56%  
Asian or Asian British Bangladeshi – 1 Response = 2.78%  
Asian or Asian British Indian – 1 Response = 2.78%  
Dual or Multiple Heritage – 1 Response = 2.78%  
White Irish – 1 Response = 2.78%  
Other ethnic group – 1 Response = 2.78%

Based on Leicester's current population estimation this is a response of 0.007% of the population responding. A response of 1% would have been around 5,425.

### **Consultation Responses**

In summary there were 32 people out of the 36 respondents who left feedback or comments; these are summarized in the table below. The byelaw that attracted the most feedback was Part 3.14 Cycling - 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.

This byelaw received 17 comments from the 36 people who responded which equates to 47% of respondents commenting on this proposed byelaw. The full breakdown of comments received is included within the consultation report, (appendix b).

The general opinion on whether parks and open spaces pathway networks should be fully accessible by cyclist was very much split, with many references made to safety being the priority and considerate cycling. Several referenced cycling as being a key focus of our sustainable transport plans for the city and fears over road safety for cyclists.

Park Services works closely with our in house Sustainable Transport team and their Walking and Cycling Development Officers to encourage people to use our designated walking and cycling routes and trails. Leicester City Council and our City Mayor are working hard to implement safer cycling routes and connect the city up via our Sustrans walking and cycling routes for example the network of new cycle ways within

the city centre and the new London Road safer cycling scheme including new cycle routes across Victoria Park which are currently being installed.

Whilst we encourage cycling on designated pathways we have to be able to enforce inconsiderate or dangerous cycling on none designated pathways where it may put other sites users both animals and humans at risk or pose a risk to the cyclist themselves. Leicester City Councils Sustainable Transport team work closely with Sustrans to identify suitable pathway networks and adopt accordingly where the assessment deems them suitable. Full copies of approved city Sustrans routes are available via <http://www.choosehowyoumove.co.uk/>

The second largest number of comments received was 5 out of 36 or 14% for the exclusion of dog control or litter management. Litter and Dog Control management and enforcements is not included within the proposed byelaws as both are addressed via alternative legislation and legal powers. Only issues not already actionable via alternative policing or enforcement powers are included within byelaws

However we acknowledge and support the 2 feedback comments received highlighting the word “invalid” as being outdated terminology in relation to reference of mobility scooter users. We have raised this directly with MHCLG to request they consider changing this wording in future model byelaw guidance on the 12 October 2018.

### Analysis of consultation comments received

Byelaw	Positive (In Support of proposal)	Negative (Against)	Other Wording revision or alternative suggestion	Totals
Term Invalid Carriage			Part 1 & 3 Concern raised its outdated term, LCC has raised this with MHCLA. Various references to terminology.	2
3.14 Cycling	8	6	3 x Should be permitted if done safely	17
Dog Control/Litter			5 x comments re both areas of enforcement not mentioned in byelaws, that is because these are enforced via other legislation.	5
Part 7 Metal Detector	1	0		1

Part 5.26 Bathing	0	1		1
Part 6.31 Model Aircraft General prohibition	2	2		4
Questions not comments			3 received	3
Part 5.30 Fishing	1	0		1
Part 2.8 Protection of wildlife	2	0	Comments raise concern the wording doesn't go far enough.	2
Part 3.15 Motor Vehicles	1	0		1
Part 4.16 Children's Play Areas	0	1		1
Part 7.35 Metal detectors	0	0	Wording suggestion	1
Part 4.18 Skateboarding	3	0		3

#### **Consultation impact on proposed byelaws.**

There are no changes to be made to the byelaws proposed and consulted on as a result of minimal input received and no overwhelming objections or identification of needs. None of the comments received identified any ways the proposed byelaws would impact on consultees because of their protected characteristic(s) and there were no service access barriers identified that could or would affect consultees from accessing services/other opportunities that meet their needs.

An equality impact assessment has been completed and is attached at appendix 3.

The proposed set of byelaws are attached at Appendix 4.

# **Appendix 1 – Clause Answers**



## CLAUSE ANSWERS

<b>Clause</b>	<b>Generic reason to apply byelaw</b>	<b>Impact on those affected</b>
<i>4 (1) - Opening Times</i>	Public safety. Protect LCC assets.	Risk to the public minimised. Access restricted to safer periods.
<i>4 (2) - Opening Times - Where byelaw is to apply to more than one ground</i>	Public safety. Protection of LCC assets.	Risk to public minimised. Access restricted to safer periods.
<i>4 (3) - Opening Times - Where byelaw is to apply to more than one ground</i>	Public safety and protection of LCC assets	Restricted access to safer periods
<i>5 (1) - Protection of structures and plants</i>	Loss of public amenity asset.	Minimise impact of risk from environmental damage.
<i>5 (2) - Protection of structures and plants</i>	Damage of public amenity asset.	Minimise impact of risk from environmental damage.
<i>6 - Unauthorised erection of structures</i>	Do not want to prevent access to assets, and protection of public amenity assets.	To prevent health and safety hazards.
<i>7 - Climbing</i>	Protection of LCC assets and promote public safety.	Minimise the risk of accidents
<i>8 - Grazing</i>	Protection of LCC assets, public safety and animal welfare.	Minimise risk of accidents to public and animals. Minimise the risk of damage to LCC assets.
<i>9 - Protection of wildlife</i>	Protection of wildlife and animal welfare. Protection of public safety.	Minimise distress to animals and park users.
<i>10 (1) - Gates</i>	*Not applied to any sites*	*Not applied to any sites*
<i>10 (2) - Gates</i>	*Not applied to any sites*	*Not applied to any sites*
<i>11 - Camping</i>	Minimise risk and impact of environmental damage. Lack of appropriate facilities. Campers personal safety cannot be assured when staying overnight in sites not designed for this.	Protection of vulnerable individuals. Public reassurance that facilities are managed appropriately.
<i>12 (1) - Fires</i>	Protection of LCC assets, environment and public safety.	Reduced risk of injury, loss of life and property.
<i>12 (2) - Fires</i>	LCC coordinate and or manage various public events and BBQ sites.	Minimise risk of uncontrolled fires on site. Facilitation of events after due process.
<i>13 - Missiles</i>	Protect against injury and safeguard assets.	Minimise risk of injury, accidents and damage to infrastructure.
<i>14 - Interference with life-saving equipment</i>	To protect life, public safety and assets.	To protect life, public safety and assets.
<i>16 - Horse riding permitted</i>	*Not applied to any sites*	*Not applied to any sites*

## CLAUSE ANSWERS

Clause	Generic reason to apply byelaw	Impact on those affected
<i>17 (1) - Horse riding prohibited except in certain grounds (subject to bridleway, etc)</i>	*Not applied to any sites*	*Not applied to any sites*
<i>17 (2) - Horse riding prohibited except in certain grounds (subject to bridleway, etc)</i>	*Not applied to any sites*	*Not applied to any sites*
<i>18 (1) - Horse riding prohibited (subject to bridleway, etc)</i>	*Not applied to any sites*	*Not applied to any sites*
<i>18 (2) - Horse riding prohibited (subject to bridleway, etc)</i>	*Not applied to any sites*	*Not applied to any sites*
<i>19 (1) - Horse riding prohibited except on designated route (subject to bridleway, etc)</i>	Protection of public amenity asset and risk from environmental damage. Maintenance of public safety.	Safer routes for horses, riders and public.
<i>19 (2) - Horse riding prohibited except on designated route (subject to bridleway, etc)</i>	Protection of public safety and riders' safety.	Safer riding practice that protects riders' safety and public safety.
<i>20 - Cycling</i>	Protection of public safety and assets. Limit environmental damage. Designated cycle routes are risk assessed and designed for safe passage by cycles.	Minimisation of conflict and collisions between pedestrians, wildlife, assets and cyclists.
<i>21 (1) - Motor vehicles</i>	Protection of public safety, driver and passenger safety, and LCC assets. Minimise damage to the environment and wildlife.	Restrict to safe use to ensure safe passage for all site users.
<i>21 (2) - Motor vehicles</i>	*Not applied to any sites*	*Not applied to any sites*
<i>22 - Overnight parking</i>	*Not applied to any sites*	*Not applied to any sites*
<i>24 - Children's play areas</i>	Child protection and safeguarding. Restriction of area to intended purpose. Protection of LCC assets against unauthorised use.	Child protection and safeguarding.
<i>25 - Children's play apparatus</i>	*Not applied to any sites*	*Not applied to any sites*
<i>26 - Skateboarding, etc permitted but must not cause danger or annoyance</i>	Site is suitable for skating in a safe and reasonable manner.	Allows reasonable use of the sites.

## CLAUSE ANSWERS

<b>Clause</b>	<b>Generic reason to apply byelaw</b>	<b>Impact on those affected</b>
<i>27 (1) - Skateboarding, etc permitted only in designated area</i>	Site is unsuitable for skating etc. in a safe and suitable manner. May cause danger and annoyance to other site users. May cause damage to public amenity assets.	Restricts activities to risk assessed designated areas.
<i>27 (2) - Skateboarding, etc permitted only in designated area</i>	Site is unsuitable for skating etc. in a safe and suitable manner. May cause danger and annoyance to other site users. May cause damage to public amenity assets.	Restricts activities to risk assessed designated areas.
<i>28 - Prohibition of ball games</i>	Protection of LCC assets and public safety. Limit environmental damage and restrict ball games to non-sensitive areas.	Restricts ability to play ball games but directs ball games to more appropriate sites.
<i>29 - Ball games permitted only in designated areas</i>	*Not applied to any sites*	*Not applied to any sites*
<i>30 - Ball games permitted throughout the ground but designated area for ball games also provided</i>	Allows for reasonable use.	Allows for reasonable use.
<i>31 - Rules (to be used with model byelaw 29 or 30)</i>	To prevent misuse and damage to sports surfaces / equipment	Ensure playing surface is fit for purpose.
<i>32 - Cricket</i>	Public health and safety.	Restricts cricket to designated risk assessed areas and protects public.
<i>33 - Archery</i>	Public safety	Systems in place to authorise.
<i>34 - Field sports</i>	Public safety	Appropriate use allowed via due booking process.
<i>35 - Golf prohibited [except where part of ground is set aside as golf course]</i>	Public safety	Municipal provision provided in City.
<i>36 (1) - Where part of ground is set aside as a golf course</i>	*Not applied to any sites*	*Not applied to any sites*
<i>36 (2) - Where part of ground is set aside as a golf course</i>	*Not applied to any sites*	*Not applied to any sites*
<i>36 (3) - Where part of ground is set aside as a golf course</i>	*Not applied to any sites*	*Not applied to any sites*
<i>38 - Bathing</i>	Public safety	Public protection, fear of drowning

## CLAUSE ANSWERS

<b>Clause</b>	<b>Generic reason to apply byelaw</b>	<b>Impact on those affected</b>
39 - Ice skating	Public safety	Minimise risk of accidents
40 - Model boats	Public safety to avoid risks and hazards associated with recovery of model boats. Disturbance to wildlife.	Provision of authorised site.
41 - To prohibit use of boats [and if appropriate a wider category of vessels] without permission [except in designated areas]	Public safety. Damage to the environment and impact on wildlife	Provision exists in City
42 (1) - In areas where use of boats is common	*Not applied to any sites*	*Not applied to any sites*
42 (2) - In areas where use of boats is common	*Not applied to any sites*	*Not applied to any sites*
43 - Fishing	Protection of wildlife. Public safety.	Provide within City
44 - Pollution	Protection of the environment and wildlife.	Reduced impact of harm to people and animals.
45 - Blocking of watercourses	*Not applied to any sites*	*Not applied to any sites*
47 - General prohibition	*Not applied to any sites*	*Not applied to any sites*
48 - Model aircraft permitted in certain grounds [on specified days at specified times]	*Not applied to any sites*	*Not applied to any sites*
49 - Model aircraft permitted in designated areas	Public safety. Privacy and data protection. Avoidance of damage to utilities and property. User safety, recovery of devices from hazardous areas.	Direct to licences provision. Approvals process for Drones.
50 - Model aircraft subject to certain control	*Not applied to any sites*	*Not applied to any sites*
51 - Quieter types of model aircraft permitted	*Not applied to any sites*	*Not applied to any sites*
52 - Provision of services	Preventing annoyance and exploitation of site users.	Licencing approval process.
53 (1) - Excessive noise	Prevention of annoyance and disturbance to users local residents and wildlife.	Management of noise pollution.

## CLAUSE ANSWERS

<b>Clause</b>	<b>Generic reason to apply byelaw</b>	<b>Impact on those affected</b>
<i>53 (2) - Excessive noise</i>	To facilitate approved events	Management of noise. Formal events application process available.
<i>54 - Public shows and performances</i>	To facilitate approved events. Ensure compliance with Health and Safety regulations.	Ensure suitability of events and activities for all attendees.
<i>55 - Aircraft, hang gliders and hot air balloons</i>	Protection of public safety, LCC assets and the environment.	Redirect to approved sites.
<i>56 - Kites</i>	Safeguard overhead services and public safety.	Restrict kite flyers to sensible location and behaviour.
<i>57 (1) - Metal detectors</i>	Protect from environmental damage and public health and safety liabilities. Protection of potential historic assets and potential acquisition of finds without consent.	Protecting park users from potential hazards created from metal detectors' excavations.
<i>57 (2) - Metal detectors</i>	"Not applied to any sites"	"Not applied to any sites"

# **Appendix 2**

Park Services

Byelaw public consultation report

November 2018

## Introduction

In 2018 Leicester has an estimated population of 542,547 residents, Leicester is the largest city in the East Midlands and the Tenth largest in the country. Leicester City Council Parks & Open Spaces Services is responsible for the management and maintenance of over 3,088 acres (1,638 hectares) of parkland and open space across the city approximately 22 per cent of the city area.

Including:

- 153 local parks
- 2 Green Flags
- 3,078 allotment plots
- 178 play areas
- 23 ball courts
- 4 Skate Parks
- 5 BMX
- 2 Parkour
- Over 150,000 trees & 107 hectares of woodland
- 4 Cemeteries and 1 Crematorium
- 31 Outdoor gyms
- Sports facilities
- Over 8 million users per year
- Leicester Environmental Service which achieves 9000 volunteer engagements and 60,000 volunteer hours annually

In addition Park Services carries out work for a number of areas of the council, from housing estates, playing fields, highway verges to small factory units. This includes grounds maintenance, tree management, landscape construction and bereavement services. We currently have a team of 7.5 Park Warden posts that manage all site health & safety monitoring and enforcement across all publicly accessible parks and green spaces in the city.

### **Enforcement background.**

When using our parks and open spaces, it is important that certain rules are followed to ensure they remain safe and clean for everyone to enjoy. We try to make sure everyone can enjoy our publicly accessible green spaces safely. To do this we have a number of byelaws, policies and guides in place. We encourage people to enjoy our parks as fully as possible, however there are circumstances where without the correct permissions, you may have to abandon your activity or be prevented from continuing if the activity is already underway.

Leicester City Council uses a variety of legislative powers including byelaws to address crime and anti-social behaviour. The authority has a number of warranted officers within various environmental teams including Parks Services who have the legal powers to issue fixed penalty notices or take alternatives actions under a variety of these powers, please see link for more information

<https://www.leicester.gov.uk/media/177541/fixed-penalty-notices-guidance.pdf>.

### **What are byelaws, why do we need them?**

Byelaws are local laws made by a local council under an enabling power contained in a public general act or a local act requiring something to be done – or not done – in a specified area. They are accompanied by some sanction or penalty for their non-observance.

If validly made, byelaws have the force of law within the areas to which they apply. Generally byelaws are overseen by the relevant government department or confirming authority who has policy responsibility for the subject matter.

The MHCLG have responsibility for byelaws covering pleasure grounds and open spaces. These relate in the main to the peaceful enjoyment of parks and open spaces and the suppression of nuisances.

Byelaws are enforced by the local authority through the magistrates' court and contravening a byelaw can result in a fine upon successful conviction.

Byelaws are considered measures of last resort after a local council has tried to address the local issue the byelaw applies to through other means. A byelaw cannot be made where alternative legislative measures already exist that could be used to address the problem. Byelaws should always be proportionate and reasonable. Where a byelaw is no longer necessary, it should be revoked.

### **Leicester City Council and our usage of byelaws relating to pleasure grounds, public walks and open spaces**

Leicester City Council already has adopted byelaws for Parks and Open Spaces which were last updated in 2009. Since that time the number of visitors to our parks and open spaces has risen dramatically to over 8 million per year and the way in which people utilise parks and open spaces has changed with emerging trends which has identified new items for consideration. These include,

- Site improvements, developments and name changes made in the last 9 years.
- New sites created and sites removed where byelaws no longer required.
- Changes in the way or scale of visitors accessing sites and subsequent ASB.
- Identified need for inclusion of current byelaws that previously weren't available, i.e. Drones.

### **Byelaw review, adoption and implementation process**

There is a clearly defined process for all Local Authorities to follow if they wish to review, make changes, remove or include further byelaws. The below also demonstrates the timeframe that LCC has applied to the completion of each stage.



1. EIA – Comp 26 November 2018
2. Consultation – Comp 05 November 2018
3. Review feedback and produce consultation report – Comp 19 November 2018,(published on-line following Deputy Mayor briefing 14 December 2018)
4. Produce Regulatory assessment – Comp 19 November 2018
5. Submit application to MHCLG – 01 February 2019 (allow 30 days)
6. Notice of intent published on website – March 2019
7. Consultation period 28 days – April 2019
8. Report to Scrutiny Committee – May 2019
9. Full Council Meeting – June 2019
10. Seal byelaws – June 2019
11. Publish introduction of byelaws – July 2019

### **Consultation Process**

The consultation was live for a period of 4 weeks (08/10/2018 – 05/11/2018) via <https://consultations.leicester.gov.uk/communications/parks-byelaws/>. The consultation was also advertised on all 12 main parks across the city via onsite notice boards. It was emailed to a number of stakeholders who were also asked to share where relevant.

**Internal consultees:**

Executive Lead 28/09/2018  
Community Safety 28/09/2018  
Estates & Buildings 28/09/2018  
Festival & Events 28/09/2018  
Health Services 28/09/2018  
Highways team 28/09/2018  
Legal Services 28/09/2018  
P&OS management team 28/09/2018  
Planning, City Archaeologist 28/09/2018  
Planning, Nature Conservation Officer 28/09/2018  
Standards & Development, inc City Wardens 28/09/2018  
Sports Services 28/09/2018  
Ward Councillors 28/09/2018  
Trees & Woodlands 28/09/2018

**External consultees:**

Leicester Environmental Volunteers 18/10/2018  
Environment Agency 23/10/2018  
British Model Flying Association 28/09/2018  
Environment Agency 28/09/2018  
Leicester Dioceses 28/09/2018  
Leicester Disabled Action Group 28/09/2018  
LFRS 28/09/2018  
National Council for Metal Detecting 28/09/2018  
Abbey Park Friends of Group and User Group 28/09/2018  
Aylestone Meadows Appreciation Society 12/10/2018  
The Friends of Knighton Park 01/10/2018  
The Friends of Victoria Park 01/10/2018  
Leicestershire Wildlife Trust 01/10/2018  
The Friends of Aylestone Hall Gardens 12/10/2018  
Braunstone Park Art Club 12/10/2018  
Braunstone Park History Club 12/10/2018  
Winstanley Hotel/ Braunstone Park 12/10/2018  
Police 28/09/2018  
The Department for Culture, Media and Sport, Buildings, Monuments and Sites  
Division 28/09/2018  
Braunstone Park Model Aircraft Club – 28/09/18  
Forum for Older People

**Responses Received**

There were **36** responses received. The ethnicity responses and percentages are included below and within the full summary within the appendix II.

White British - 25 Responses = 69.44%  
Prefer not to say – 4 Responses = 11.11%

White European – 2 Responses = 5.56%  
 Asian or Asian British Bangladeshi – 1 Response = 2.78%  
 Asian or Asian British Indian – 1 Response = 2.78%  
 Dual or Multiple Heritage – 1 Response = 2.78%  
 White Irish – 1 Response = 2.78%  
 Other ethnic group – 1 Response = 2.78%

Total 36 Responses or 100%

Based on Leicester’s current population estimation this is a response of 0.007% of the population responding. A response of 1% would have been around 5425.

### Respondents Age indicators

Option	Total	Percent
under 18	0	0%
18 - 25	1	2.78%
26 - 35	2	5.56%
36 - 45	3	8.33%
46 - 55	6	16.67%
56 - 65	9	25.00%
66+	12	33.33%
Prefer not to say	3	8.33%
Not Answered	0	0%

### Respondents Religion indicators

Option	Total	Percent
Atheist	4	11.11%
Bahai	0	0%
Buddhist	0	0%
Christian	13	36.11%
Hindu	0	0%
Jain	0	0%
Jewish	0	0%
Muslim	0	0%
Sikh	0	0%
No religion	12	33.33%
Prefer not to say	5	13.89%
Any other religion or belief (please specify)	2	5.56%
Not Answered	0	0%

### Respondents Disability indicators

Option	Total	Percent
Yes	3	8.33%
No	28	77.78%
Prefer not to say	5	13.89%
Not Answered	0	0%

## Consultation Responses

In summary there were 32 people out of the 36 respondents who left feedback or comments; the byelaws these comments relate to are summarized in the table below and a full copy of the comments have been included as Appendix II. The byelaw that attracted the most feedback was Part 3.14 Cycling - 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.

This byelaw received 17 comments from the 36 people who responded which equates to 47% of respondents commenting on this proposed byelaw. The full breakdown of consultees engaged is included as appendix a.

The general opinion on whether parks and open spaces pathway networks should be fully accessible by cyclist was very much split, with many references made to safety being the priority and considerate cycling. Several referenced cycling as being a key focus of our sustainable transport plans for the city and fears over road safety for cyclists.

Park Services works closely with our in house Sustainable Transport team and their walking and cycling development officers to encourage people to use our designated walking and cycling routes and trails. Leicester City Council and our City Mayor are working hard to implement safer cycling routes and connect the city up via our Sustrans walking and cycling routes for example the network of new cycle ways within the city centre and the new London Road safer cycling scheme which includes new cycle routes across Victoria Park which are currently being installed.

Whilst we encourage cycling on designated pathways we have to be able to enforce inconsiderate or dangerous cycling on none designated pathways where it may put other sites users both animals and humans at risk or pose a risk to the cyclist themselves. Leicester City Councils Sustainable Transport team work closely with Sustrans to identify suitable pathway networks and adopt accordingly where the assessment deems them suitable. Full copies of approved city walking and cycling routes are available via <http://www.choosehowyoumove.co.uk/>

The second largest number of comments received was 5 out of 36 or 14% for the exclusion of dog control or litter management. Litter and Dog Control management and enforcements is not included within the proposed byelaws as both are addressed via alternative legislation and legal powers. Only issues not already actionable via alternative policing or enforcement powers are included within byelaws, as explained *What are byelaws, why do we need them*, at the beginning of this document.

However we acknowledge and support the 2 feedback comments received highlighting the word “Invalid” as being outdated terminology in relation to reference of mobility scooter users. We have raised this directly with The MHCLG(MHCLG) to request they consider changing this wording in future model byelaw guidance on 12/10/2018.

While the model byelaws are tried and tested and designed to cover all eventualities MHCLG recognises that in some cases there may be unique local circumstances meriting a variation to the model byelaw. Where a local council does retain a model byelaw, any changes to the wording should be kept to a minimum.

The local council is responsible for providing evidence for the need for each variation which then informs their deregulatory statement that they then publish on their website and submit to the Secretary of State. Unfortunately, as this is not a unique local circumstance and we are unable to provide evidence of need for wording variation based on number of responses raising this issue.

### **Analysis of consultation comments received**

<b>Byelaw</b>	<b>Positive (In Support of proposal)</b>	<b>Negative (Against)</b>	<b>Other Wording revision or alternative suggestion</b>	<b>Totals</b>
Term Invalid Carriage			Part 1 & 3 Concern raised its outdated term, LCC has raised this with MHCLA.	Various references to terminology.
3.14 Cycling	8	6	3 x Should be permitted if done safely	17
Dog Control/Litter			5 x comments re both areas of enforcement not mentioned in byelaws, that is because these are enforced via other legislation.	5
Part 7 Metal Detector	1	0		1
Part 5.26 Bathing	0	1		1
Part 6.31 Model Aircraft General prohibition	2	2		4
Questions not comments			3 received	3
Part 5.30 Fishing	1	0		1
Part 2.8 Protection of wildlife	2	0	Comments raise concern the wording doesn't go far enough.	2
Part 3.15 Motor Vehicles	1	0		1

Part 4.16 Children's Play Areas	0	1		1
Part 7.35 Metal detectors	0	0	Wording suggestion	1
Part 4.18 Skateboarding	3	0		3

**Consultation impact on proposed byelaws.**

There are no changes to be made to the byelaws proposed and consulted on as a result of minimal input received and no overwhelming objections or identification of needs. None of the comments received identified any ways the proposed byelaws would impact on consultees because of their protected characteristic(s) and there were no service access barriers identified that could or would affect consultees from accessing services/other opportunities that meet their needs.

The full breakdown of consultee's comments are included within the consultation comments received appendix b.

# **Appendix a**

## Consultation summary report

## Parks Byelaws : Summary report

This report was created on Tuesday 06 November 2018 at 09:03.

The consultation ran from 08/10/2018 to 05/11/2018.

### Contents

<b>Question : What is your postcode?</b>	<b>1</b>
Postcode	1
<b>Question : What are your comments about the revised parks Byelaws?</b>	<b>1</b>
comments	1
<b>Question : Do you have any comments on the locations where the Byelaws are applied?</b>	<b>1</b>
bylaws locations	1
<b>Question : Ethnic background:</b>	<b>2</b>
Ethnicity	2
If you said your ethnic group was one of the 'Other' categories, please tell us what this is:	3
<b>Question : Age:</b>	<b>3</b>
Age	3
<b>Question : How would you define your religion or belief?</b>	<b>4</b>
religion	4
other religion	5
<b>Question : Sexual orientation. Do you consider yourself to be ...</b>	<b>5</b>
sexuality	5
Other sex	5
<b>Question : Disability</b>	<b>6</b>
Q7	6
Disability detail	6
Other disability	7
<b>Question : What is your gender identity?</b>	<b>7</b>
Gender	7
Other gender	7
gender ID same as birth	7

### **Question : What is your postcode?**

#### **Postcode**

There were 36 responses to this part of the question.

### **Question : What are your comments about the revised parks Byelaws?**

#### **comments**

There were 33 responses to this part of the question.

### **Question : Do you have any comments on the locations where the Byelaws are applied?**

#### **bylaws locations**

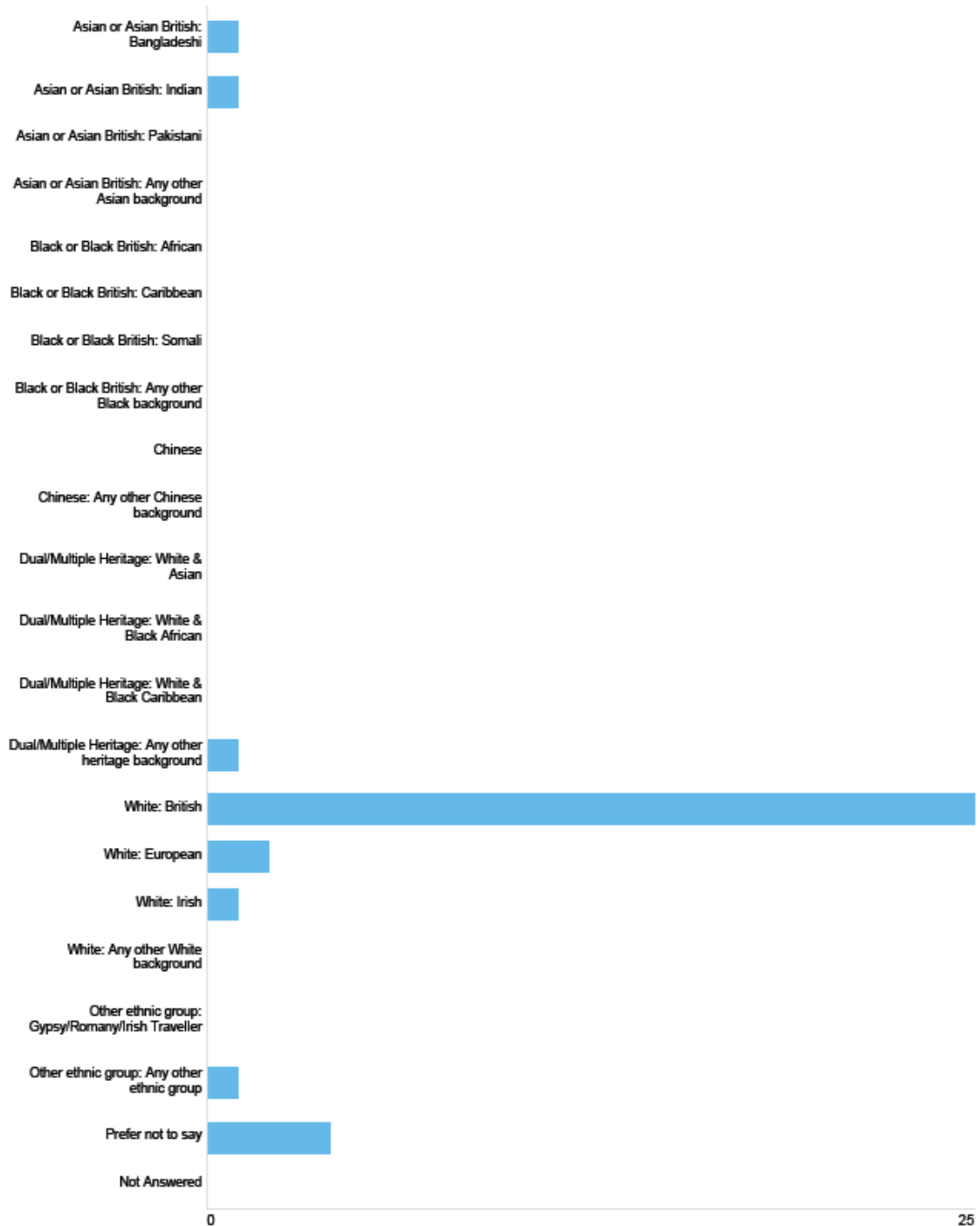
There were 17 responses to this part of the question.





**Question : Ethnic background:**

*Ethnicity*





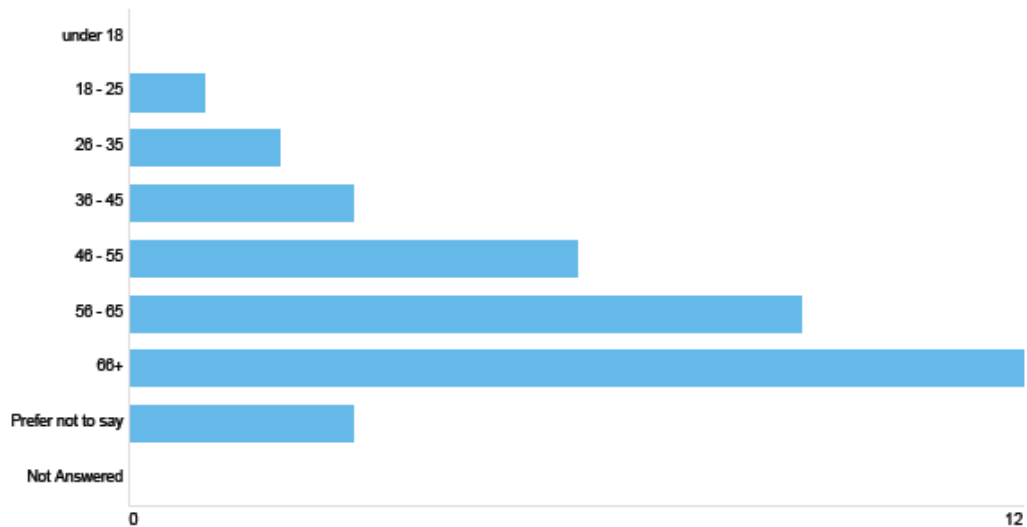
Option	Total	Percent
Asian or Asian British: Bangladeshi	1	2.78%
Asian or Asian British: Indian	1	2.78%
Asian or Asian British: Pakistani	0	0%
Asian or Asian British: Any other Asian background	0	0%
Black or Black British: African	0	0%
Black or Black British: Caribbean	0	0%
Black or Black British: Somali	0	0%
Black or Black British: Any other Black background	0	0%
Chinese	0	0%
Chinese: Any other Chinese background	0	0%
Dual/Multiple Heritage: White & Asian	0	0%
Dual/Multiple Heritage: White & Black African	0	0%
Dual/Multiple Heritage: White & Black Caribbean	0	0%
Dual/Multiple Heritage: Any other heritage background	1	2.78%
White: British	25	69.44%
White: European	2	5.56%
White: Irish	1	2.78%
White: Any other White background	0	0%
Other ethnic group: Gypsy/Romany/Irish Traveller	0	0%
Other ethnic group: Any other ethnic group	1	2.78%
Prefer not to say	4	11.11%
Not Answered	0	0%

**If you said your ethnic group was one of the 'Other' categories, please tell us what this is:**

There was 1 response to this part of the question.

**Question : Age:**

**Age**

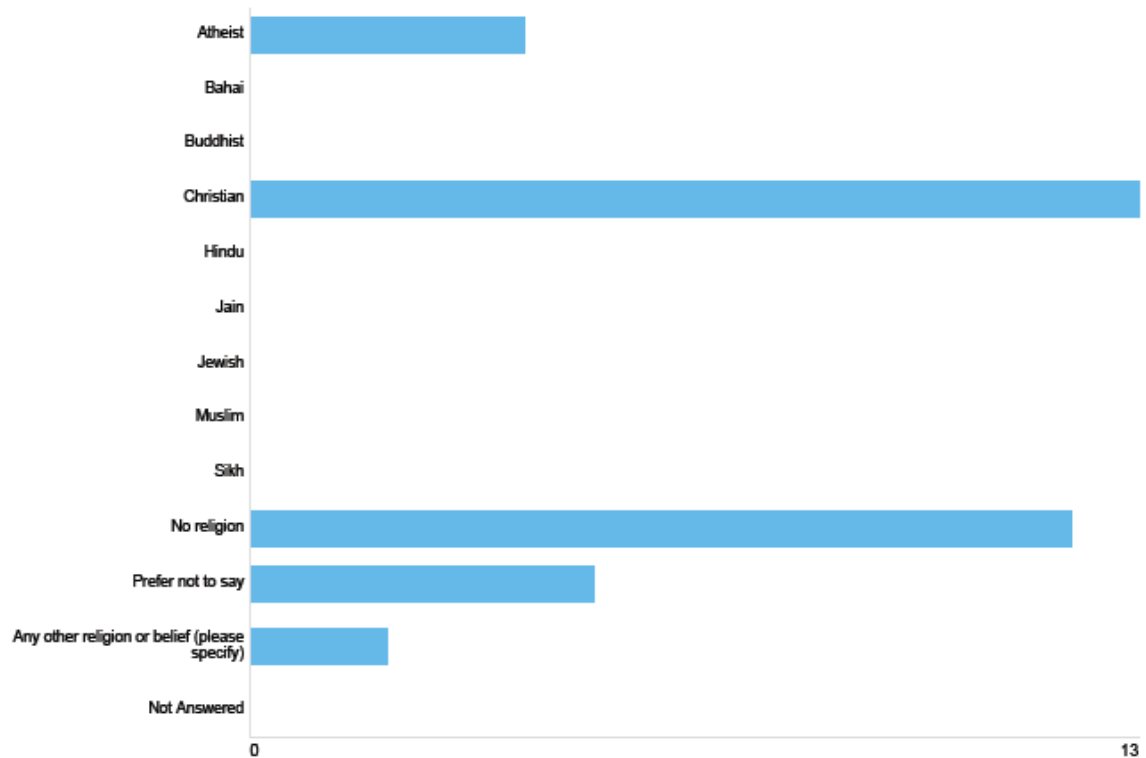




Option	Total	Percent
under 18	0	0%
18 - 25	1	2.78%
26 - 35	2	5.56%
36 - 45	3	8.33%
46 - 55	6	16.67%
56 - 65	9	25.00%
66+	12	33.33%
Prefer not to say	3	8.33%
Not Answered	0	0%

**Question : How would you define your religion or belief?**

*religion*





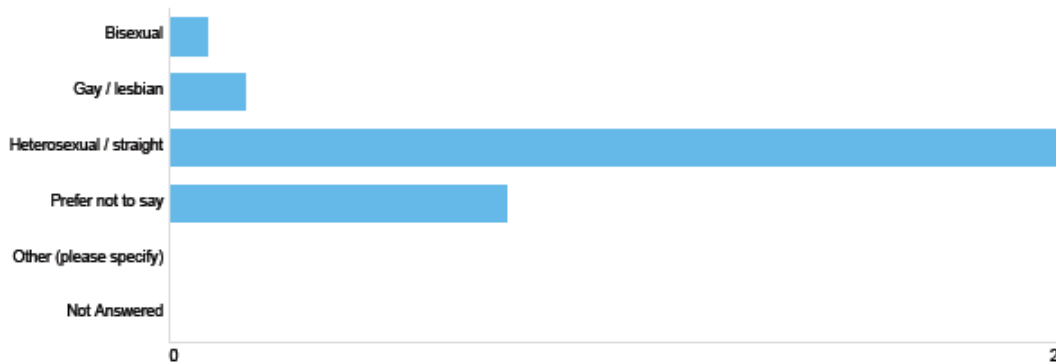
Option	Total	Percent
Atheist	4	11.11%
Bahai	0	0%
Buddhist	0	0%
Christian	13	36.11%
Hindu	0	0%
Jain	0	0%
Jewish	0	0%
Muslim	0	0%
Sikh	0	0%
No religion	12	33.33%
Prefer not to say	5	13.89%
Any other religion or belief (please specify)	2	5.56%
Not Answered	0	0%

**other religion**

There were 2 responses to this part of the question.

**Question : Sexual orientation. Do you consider yourself to be ...**

**sexuality**



Option	Total	Percent
Bisexual	1	2.78%
Gay / lesbian	2	5.56%
Heterosexual / straight	24	66.67%
Prefer not to say	9	25.00%
Other (please specify)	0	0%
Not Answered	0	0%

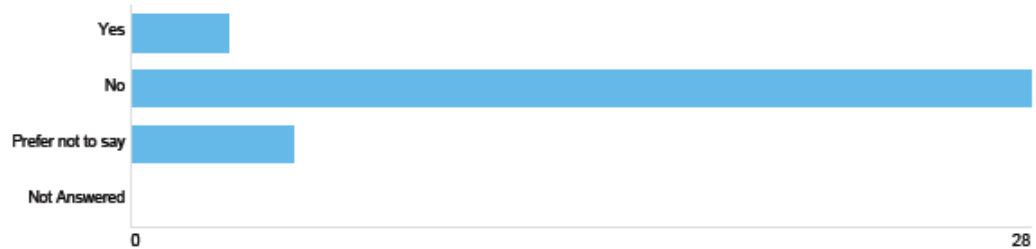
**Other sex**

There were 0 responses to this part of the question.



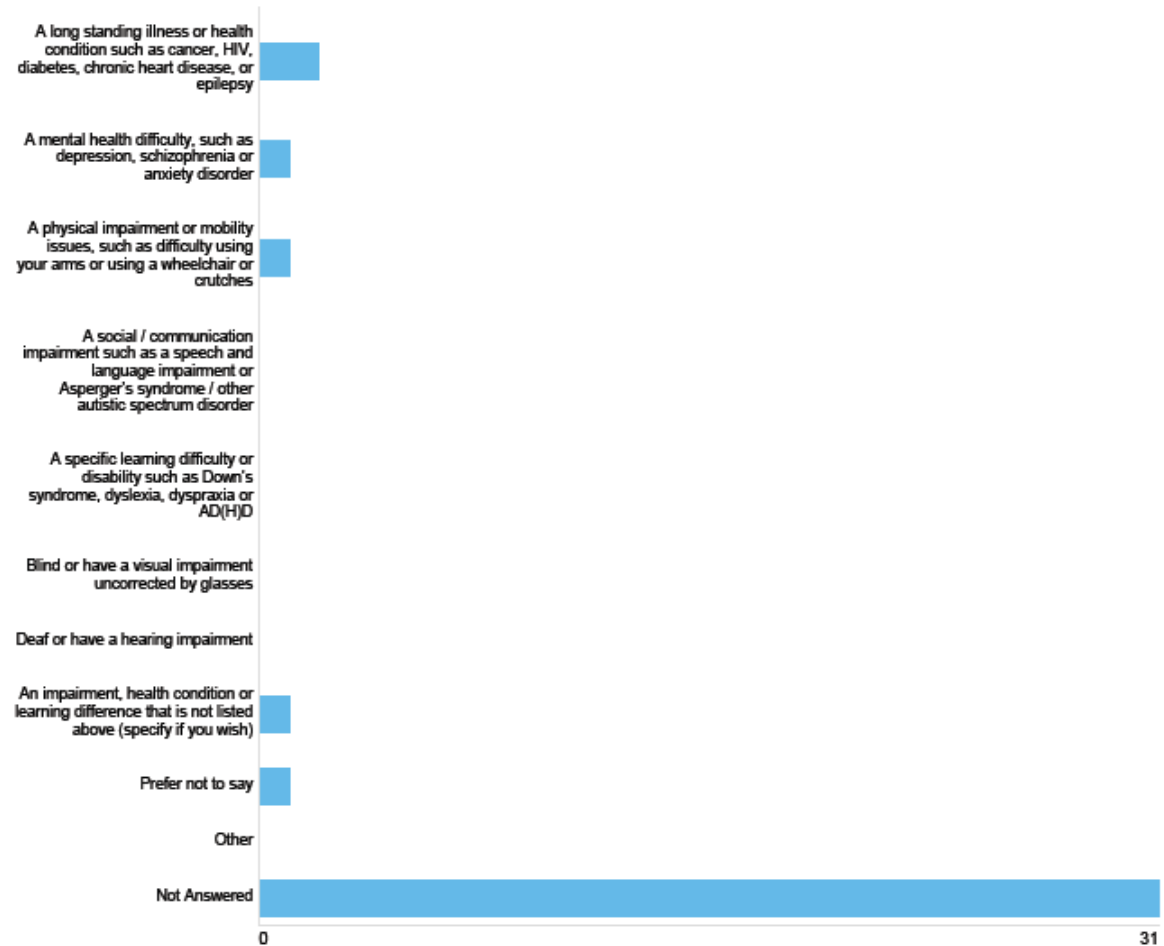
**Question : Disability**

Q7



Option	Total	Percent
Yes	3	8.33%
No	28	77.78%
Prefer not to say	5	13.89%
Not Answered	0	0%

**Disability detail**





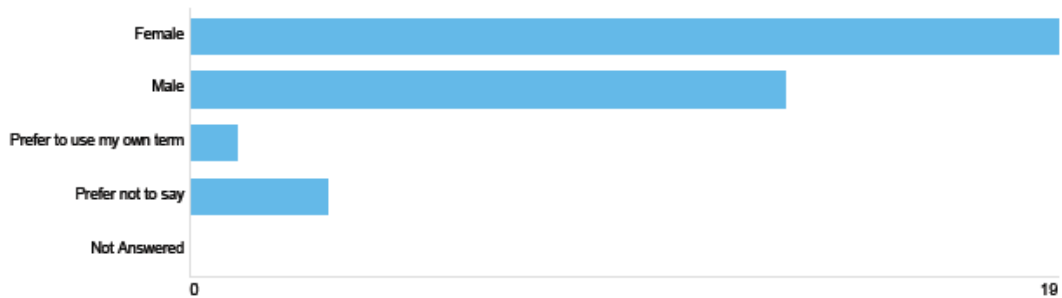
Option	Total	Percent
A long standing illness or health condition such as cancer, HIV, diabetes, chronic heart disease, or epilepsy	2	5.58%
A mental health difficulty, such as depression, schizophrenia or anxiety disorder	1	2.78%
A physical impairment or mobility issues, such as difficulty using your arms or using a wheelchair or crutches	1	2.78%
A social / communication impairment such as a speech and language impairment or Asperger's syndrome / other autistic spectrum disorder	0	0%
A specific learning difficulty or disability such as Down's syndrome, dyslexia, dyspraxia or AD(H)D	0	0%
Blind or have a visual impairment uncorrected by glasses	0	0%
Deaf or have a hearing impairment	0	0%
An impairment, health condition or learning difference that is not listed above (specify if you wish)	1	2.78%
Prefer not to say	1	2.78%
Other	0	0%
Not Answered	31	86.11%

**Other disability**

There were 0 responses to this part of the question.

**Question : What is your gender identity?**

**Gender**

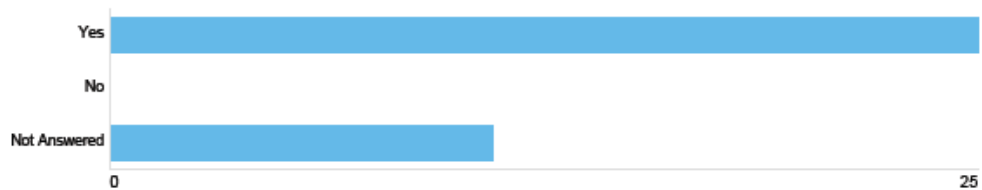


Option	Total	Percent
Female	19	52.78%
Male	13	36.11%
Prefer to use my own term	1	2.78%
Prefer not to say	3	8.33%
Not Answered	0	0%

**Other gender**

There was 1 response to this part of the question.

**gender ID same as birth**



Option	Total	Percent
Yes	25	69.44%
No	0	0%
Not Answered	11	30.56%

1	<p>Byelaw 14 - 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.</p> <p>I find this byelaw to be outdated and unreasonably restrictive. Parks should be open spaces where children and adults alike should be allowed to ride bikes. The health and wellbeing benefits to the population are undisputed so there is no justification for this bylaw.</p> <p>Please say goodbye to byelaw 14 altogether.</p>
2	<p>Part 3 Horses Cycles and Vehicles - Reference is made twice to "invalid carriage" I think the wording needs to be brought up to date by use of the term "Mobility scooter" or "Powered Wheelchair" People with mobility issues would doubtless object to being referred to as invalids. I know I would!</p>
3	<p>14 + references to dogs (not existent at the moment)</p> <p>There appears to be nowhere in this survey to add my comments - so will do so here.</p> <p>1) Where cycling is permitted is ambiguous. It says basically that it is allowed where it is allowed. I would suggest that it be allowed anywhere in the park (with a few exceptions such as children's play areas, sensory garden etc) , which is what seems to apply now, with no problem.</p> <p>2) There is no reference anywhere to dogs, which cause a major problem, particularly when allowed to roam free. I suggest that dogs should be kept on a lead at all times while being</p>

## Appendix b

### Consultation comments received

	<p>walked along the paths in the park. Ideally, a specific area should be set aside where dogs can be let off their leads, as there is a real health hazard when dogs are allowed to urinate on areas where people, especially children, play. At the moment there is a major problem of dogs jumping up on to people sitting on the benches. For some people this can be very frightening - for others a real annoyance, quite apart from the mess caused by dogs' muddy paws on one's clothes. A byelaw regarding dogs defecating in the park should also be included.</p> <p>3) I don't recollect seeing any reference to litter - it should be an offence to leave litter anywhere except in the designated bins.</p>
4	<p>3.14, cycling. Cyclist should obey MPH restrictions. e.g. on Knighton park it prominently displays 5 miles per hour on all paths many cyclists exceed this.</p> <p>7.37, why are metal detectors permitted in any parks?</p>
5	<p>I believe cycling should be permitted/encouraged in all park areas unless specifically prohibited by appropriate signage.</p> <p>Cycling should be encouraged in Leicester as a sustainable form of transport. In line with infrastructure developments being made in the city.</p>
6	<p>The rule regarding cycling seems unreasonable. I understand about people cycling recklessly on footpaths, but the wording discourages cycling, particularly by children. For example, the one cycle path across Victoria Park is very good, but it isn't always practical to get to it to travel across the park.</p>
7	<p>Part 3 -14 Cycling</p> <p>There should be a distinction between young children's cycling and 'persons cycling'. Accompanied children under 11 should be allowed to cycle in parks. This promotes good health and learning to cycle.</p> <p>Suggested change to promote safety for lone women cycling at night:  "Cyclists should use the designated routes in parks for transport. If using non-designated routes, cyclists should ride at walking pace if pedestrians are present. "</p> <p>Crossing Victoria Park at night as a single female cyclist is much safer using the pedestrian route, and it is usually clear when it is dark.</p> <p>New updated items  The old bye laws do need updating, but I am surprised that there is no reference to:  *the use of children's electric vehicles in parks  *geocaching (which should be allowed but with some restrictions)  *litter (did I miss it?) including fly tipping,  * photography and videoing people without permission, especially children  * alcohol consumption and supply/ or drugs</p>
8	<p>26. No person shall without reasonable excuse bathe or swim in any waterway except in a designated area for bathing and swimming. This byelaw applies to all the grounds listed in Part 6 of Schedule 2.</p> <p>Following the successful crossing of the Channel by Captain Matthew Webb in August 1875 and the huge publicity his achievement received, throngs of naked boys plied the waterways</p>



	<p>of England in response, and it all became too much to bear. This same year a new Leicester bye-law for the park and St Margaret's pasture was enacted reading: "No person shall bathe in any water in the park or recreation ground except in such place or places specially set apart by the Corporation and may be identified by notice 'Subject to compliance with regulation.' " Thus bathing came under the control of the Corporation, who now prescribed its limitations. No doubt this came as a blessed relief to those who felt it essential to contain the masses of young adventurers. The imitation of Webb saw swimmers spanning great distances up and down river; however the Order would now ensure that youngsters were contained within much smaller stretches of river, out of public view. This would go a long way towards bringing to an end the annoyance and embarrassment experienced by respectable ladies. But it changed forever the thrill of distance swimming; boys and young men had to contend themselves with counting lengths rather than the real achievement of swimming for miles. From this point on, swimmers were in a sense confined by authority and so they paced backwards and forwards like caged animals. In the minds of the prudish Victorians that's exactly what they were. The first victory had been achieved; shameless children were hidden away so that ladies, young and old, could stroll along the riverbank in peace.</p> <p>This bylaw is outdated. Children no longer bath in the costume of Eden and so hiding them away in designated bathing areas is unnecessary.</p> <p>The council no longer provide a "designated area for bathing and swimming". The Bede House, Castle Gardens, Raleigh Park, North Bridge, Abbey Park and Abbey Meadows bathing areas were all replaced by St Margret's Baths which has also now closed.</p> <p>To outlaw bathing in the river except within a designated bathing area is a contravention of the right to navigate any river in England as stated in the Magna Carta.</p> <p>This bylaw should be removed.</p> <p>Please see examples of other local authorities and the way they have updated their regulations here:</p> <p><a href="https://www.hungouttodry.co.uk/leicester-swimming-restrictions">https://www.hungouttodry.co.uk/leicester-swimming-restrictions</a></p> <p><a href="https://swimmingnews.wordpress.com/2015/07/31/outdoor-swimming-society-help-liberate-swimmers/">https://swimmingnews.wordpress.com/2015/07/31/outdoor-swimming-society-help-liberate-swimmers/</a></p> <p><a href="https://www.youtube.com/watch?v=4gbvasZd5C0">https://www.youtube.com/watch?v=4gbvasZd5C0</a></p> <p>Please contact me if you wish to further explore the possibility of amending and updating this bylaw.</p>
7	<p>To propose a blanket ban for all model aircraft and drone flyers across all park spaces in Leicestershire is not only an impossible thing to enforce but is also farcical in it's very nature. In my entire duration flying, the health and safety implications to members of the public is nearly always jeopardised due to the actions of that ill-advised member of the public and rarely due to the pilot.</p> <p>Further to this, engaging a ban to fly within Leicestershire parks cannot legally be enforced, as the air above the ground is not owned by the public, council or any private park owners, and under the Civil Aviation Authority Air Navigation Order (Articles 94 and 95) as long as minimum distances are adhered to UAV pilots are still able to legally operate above almost any space unless prohibited by specific legislation relating to civilian or military controlled or prohibited airspaces, neither of which Leicestershire's park spaces can be considered as.</p> <p>Further to this, laws surrounding data prevention and privacy dictate that any UAV fitted with surveillance equipment only breaches the privacy of others in the event they are identifiable from the footage acquired, which is somewhat moot when you consider that operating within any of your spaces means pilots must be a minimum of 50m from any person, vehicle or structure, either laterally or in height; and adhering to this means that any</p>

	<p>members of the public caught within the footage are non-identifiable.</p> <p>It is with some disappointment that I find I must provide you with this feedback, as Leicestershire's parkland and communal green spaces should be there for the enjoyment of all members of the public, including those who operate drones - and instead of a blanket ban, perhaps looking instead at windows of acceptable activity, zonal restrictions and changes to bye-laws that are inclusive of the drone community would be better serving to the public as a whole, rather than what appears to be an over the top knee-jerk reaction to prior complaints, that instead unnecessarily limit the activities of those who already operate safely and legally within your constituency.</p>
8	I think it's important, as part of creating a healthier, more environmentally friendly city, that the council encourages cycling. There should be clear cycle routes in all the city parks, ideally with either segregated lanes or wide shared paths.
9	<p>Revised byelaw 9 re closing of gates - will this not impact of the entry for travellers taking up occupation?</p> <p>Revised byelaw 18 - will this include segways and similar?</p>
10	<p>"Bylaw 30, sedition 2, part 10:</p> <p>Fishing at aylestone meadows has had incidents of causing issues to dogs and children"</p>
11	<p>Under &lt;Ball Games&gt;, could there be a clause outlawing littering specifically by empty water bottles and the plastic bands used for players' socks?</p> <p>Time and again used plastic bottles &amp; sock bands are discarded on the Aylestone Meadows football pitch nearest Bilberry Close, following a match.</p> <p>Could teams be fined for not taking litter away with them or not putting it in the bins?</p> <p>I once had a polite word with some team coaches, asking them to ask players to take bottles home with them. I don't know if I had any effect.</p> <p>If they had to pay a deposit, only returnable if the pitch were left litter-free, they'd think more carefully.</p>
12	<p>8. Protection of wildlife</p> <p>This, or another section, should include protection of wild plants i.e. not removing etc. Also, it's not clear whether 'animal' includes birds. This ambiguity should be removed and protection of birds explicitly included - for example, non-disturbance of nests and young during the breeding season.</p> <p>Generally speaking, the byelaws appear to be written largely with formal parks in mind, while they also need to cover areas which are significant for wildlife i.e. Aylestone Meadows Watermead Country Park, etc.</p>
13	<p>Ref 8 Protection of wildlife needs to be extended to include how country arks like Castle Hill are mown so that all wildlife including wild plants, insect life as well as birds &amp; small mammals do not have most of their breeding and especially wintering habitat destroyed when autumn mowing commences in late September. It is understood that large areas need mowing for various reasons but wildlife require a more area rotational management scheme.</p> <p>Ref 15 Re motor bikers - somehow this needs tightening up in terms of dealing with offenders as Castle Hill C.P, Gorse Hill are areas beset by this motor biker plague. The police have understandable limitations both in terms of policing requirements and available manpower but more council-police co-operation and more metal gates and concreted barriers to make biker access almost impossible are needed. I photo bikers whenever I can &amp;</p>

	<p>pass any photos and descriptions to the police when I can but very clear concrete evidence is needed and int needs more of a plain clothes monitoring presence and perhaps the use of drones at key times of biker presence in these areas - i.e usually between 15.00 &amp; 16.30 between May and September.</p>
14	<p>Old - 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.</p> <p>Draft revision -Cycling 14. 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.</p> <p>The City Council walking and cycling team are keen to encourage people of all ages to cycle more. People who are learning how to cycle are encouraged to practice their cycle skills off the public highway. It is not helpful to give the impression they are not welcome to do this in the Leicester parks. The parks are also particularly attractive off-road routes for commuters and children travelling to school by cycle. It would not make sense from a road safety view to push these people on to the public highway.</p> <p>Please could you re-word your section on cycling to something like:- " Considerate cyclists are welcome to cycle in our parks so long as they do not wilfully cause distress or injury to other park users." There may be occasions during particular events when restrictions on cycling in certain areas of parks are required. This could be signed as temporary restriction with reasons given.</p>
15	<p>Part 6 Model Aircraft Will the council publish designated areas for Model Aircraft flying?</p>
16	<p>Part 3 .14 Cycling prohibitions need enforcing.</p> <p>There isn't any reference to littering and penalties for it.</p>
17	<p>Part 4 - 16 - it does not say that people over 14 should not go onto the play equipment. so an 18 year old in charge of a younger sibling or infant, may just have a go on the swings whilst watching the child? "Not being in the area of the play equipment" is not enough to my mind, the old wording was.</p> <p>Part 6 Model Aircraft - somewhere at the start or end of that set of bylaws - should say "this also includes any Drones whether remotely controlled or not" that should future proof the section for a year or two.</p> <p>Part 7 - 35 "..... or Drone" should be included, since with development of drone delivery, many "pilots" sat in an office do not see their vehicle as a toy or model and many drone owners have no idea of the law - as personally witnessed in Bradgate Park chasing deer and dogs with a drone and I then called the wardens when a middle aged lady was buzzed with one and she fell over!</p>
18	<p>31 . Model aircraft</p>

	<p>This is significantly over reaching and doesn't differentiate between type, size, weight or function. It would include all models from rubber band powered toy planes weighing a few grams to professional drones.</p> <p>It would allow large unpowered (powered launch) craft, which could do just as much damage.</p> <p>Indeed, a flying football can (and often does) cause way more damage than a flying toy plane.</p> <p>The bylaw should make a differentiation by stating size and weight of the model that is allowed to fly in an open park as opposed to a designated area</p> <p>If you think photography should be banned in all parks, then also include a statement about aircraft with cameras, but also include a clause about walkers with cameras.</p>
19	<p>New Byelaw 31.</p> <p>I feel that as stated this is weak in that in some of the larger parks such as Abbey Park, on occasions I have witnessed the flying of small drones which caused danger to other park users. I am not sure if this is legally enforceable but I suggest these drones should not be physically taken into any park or open recreation area under Council control - how this could be enforced if such drones are in car boots is questionable, but at least it would require they remain in the vehicle.</p>
20	<p>I can't provide a reference number as I can't find any bylaw relating to dogs.</p> <p>I've looked through the draft bylaws but I can't find any reference to dogs. I was expecting to see bylaws about keeping dogs under control, owners responsibilities regarding dog fouling, etc, etc. I don't understand this omission.</p>
21	<p>I support New Byelaw 18 which bans skateboarding in certain parks, mostly within the City Centre area.</p> <p>I support the retention of Byelaw 14 which states that '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.'</p> <p>I believe that Byelaw 14 and 18 should extend to the whole length of New Walk as this walkway does link a number of parks and gardens such as Museum Square, De Montfort Square and The Oval - as well as the top and bottom of the Walk.</p>
22	<p>Happy with these changes</p>
	<p>Leicester has a huge problem in terms of anti social dog owners in all its parks and the Great central Way. Bradgate Park has acknowledged this problem which has been widely publicised. I'm surprised that there is nothing in the proposals to deal with dog ownership, specifically the owners not being in control of the dog/ the dog not being kept on a lead. I use a lot of the parks in the south of the city with my children or for running and there are many instances daily where dogs are causing problems because the owner makes the conscious decision not to control them properly. Can this be addressed please?</p>
23	<p>#14 - cycling</p> <p>I just want to support the retention of this bylaw. While it is not generally enforced it does allow (for example) signage which will deter some cyclists.</p>

	<p>I fear that some cyclists don't understand the problems of mixing with pedestrians (especially the young and old) - and they want to access all areas.</p> <p>I am finding it increasingly difficult to walk in some parks due to being unbalanced by cyclists. My walking route to City Centre includes Victoria Park, but having fallen to the ground a number of times (on all occasions due to cyclists) I rarely walk on the paths and can only use the park when dry enough to walk on the grass. The risk of a fall has increased now I'm on blood thinners. Often I have to get the bus.</p> <p>On some other parks where cycling occurs freely, the increase in numbers is also preventing me from using them - certainly for relaxing leisure. I like to take my camera and watch nature - that may involve standing still focused on a birds movements, or moving unpredictably, which doesn't match well with the quiet fast approach of a cyclist. (I can hear the joggers!). We need to have routes across parks for cyclists - but equally we need routes where pedestrians can relax and walk safely. I am aware that in some parks young children are being pushed in buggies because parents feel that cyclists are a risk to their toddlers unpredictable route.</p> <p>The byelaw doesn't prevent safer routes being designated for cyclists, but does allow some control where needed and it should be retained.</p>
24	<p>Cycling is to be encouraged for many reasons, however, I feel strongly that pedestrian walk ways in parks should not be opened up to cyclists. By their nature and design walk ways are intended for pedestrian use by people of all ages and disabilities. If a cyclist wants to take a particular route, they should dismount and walk. I do not see why they think they are entitled to determine and select the quickest route across a park. People walking alongside young children, people with visual, hearing and other disabilities are all put at risk.</p> <p>I understand that many people do not feel safe cycling on some of our roads, but this is no excuse to jeopardise the safety of pedestrians, particularly if there is a cycle route, which may be slightly longer. The council is working hard to provide more cycle paths and interested cycling groups should work with the council on these projects.</p>
25	<p>Part2 3 Cycling</p> <p>parks are a safe way for people to get from A to B, and the established cycle lanes to not reflect all the routes people may wish to take. if it aint broke, don't try and fix it. it would be difficult to police this bylaw- it is more appropriate to encourage careful cycling, with due regard to pedestrians ( who may also wander onto cycle lanes inadvertently. Reckless cyclists should be taken to task, but not everyday cyclists- including children learning to ride.</p>
26	<p>I'm pleased to see that the Council has recently been increasing cycle parking at a number of city parks (although 6 stands at popular cycle destinations like Abbey Park cafe doesn't seem like enough to me). But the byelaw preventing cycling other than on specifically designated routes seems too heavy handed. Experience in the city centre is, as the City Mayor frequently points out, that cyclists and pedestrians can share certain spaces safely, without increased risk. Surely we should be encouraging more people to cycle in general. If that means cycling through a park, as a safer alternative to a busy road, then that should be facilitated by opening up routes rather than this outdated approach which does not appear too have been reviewed at all.</p>
27	<p>Cycling should be allowed where done safely in Victoria Park and New Walk. Many more people would be encouraged to travel to work safely if this were the case. Cycling into Leicester via London road is high risk.</p>
28	<p>I don't see why I should be expected to know this useless piece of information. Surely this should have been picked up from the page I came here via!</p>

	I don't see why cycling should not be allowed in parks. Respectful cyclists will cycle safely, disrespectful cyclists will not pay any attention to byelaws regardless!
29	I support the retention of Byelaw 14 regarding the restrictions on cycling. I support the introduction of Byelaw 18 restricting skateboarding
30	Stop motor bikes and cars using Hamilton park and green spaces as a race track
31	<p>I fully support the retention of Byelaw 14 regarding the restrictions on cycling and I totally support the introduction of Byelaw 18 restricting skateboarding in much the same way.</p> <p>I believe these Bye-Laws should be extended to Museum Square, De Montfort Square, The Oval and, is appropriate, the whole length of New Walk as both cyclists and skate-boarders are quite serious hazards to pedestrians, especially the young, the infirm and those who are partially sighted or blind.</p>
32	<p>Older Persons Forum</p> <p>Supportive of byelaw 14 restricting cycling and 18 restricting skate boarding especially within the city centre.</p>

## **Appendix 3 – Equality Impact Assessment**



## Equality Impact Assessment (EIA) Template: Service Reviews/Service Changes

Title of spending review/service change/proposal	Revised byelaws for Parks and Green Spaces.
Name of division/service	Neighbourhood & Environmental Services
Name of lead officer completing this assessment	Victoria Hudson
Date EIA assessment completed	12/11/2018
Decision maker	Divisional Director
Date decision taken	

<b>EIA sign off on completion:</b>	<b>Signature</b>	<b>Date</b>
Lead officer	Victoria Hudson	12/11/2018
Equalities officer	Surinder Singh	12/11/2018
Divisional director		

**Please ensure the following:**

- (a) That the document is understandable to a reader who has not read any other documents, and explains (on its own) how the Public Sector Equality Duty is met. This does not need to be lengthy, but must be complete.
- (b) That available support information and data is identified and where it can be found. Also be clear about highlighting gaps in existing data or evidence that you hold, and how you have sought to address these knowledge gaps.



- (c) That the equality impacts are capable of aggregation with those of other EIAs to identify the cumulative impact of all service changes made by the council on different groups of people.

1. **Setting the context** - Describe the proposal, the reasons it is being made, and the intended change or outcome. Will current service users' needs continue to be met?

Byelaws are local laws which allow enforcement agencies including the Police and some council officers to charge people who breach them. They also aid council officers to request people to change or cease their actions whilst utilising parks or open spaces if their behaviour or actions are in breach of the byelaws.

Leicester City Council already has an adopted set of byelaws which were last updated in 2015. These already cover the majority of the city's parks, open spaces and play areas. However they are outdated due to changes in designated byelaw now available to us, site names, creation of new sites, removal of public access or site and or do not meet reflect the present anti-social behaviour issues in respect of the areas included.

Evidence has been drawn together from Police and Local authority regarding issues reported by members of the public in respect of parks, open spaces and play areas. In order to manage these issues and to make public parks, open spaces and play areas more inclusive, safe and free from anti-social behaviour activities we wish to implement new park byelaws.

The process for adopting byelaws is a lengthy and rigorous one which involves identifying the problem, a consultation process, byelaws being drafted; applying to the relevant government department Secretary of State for approval, publishing a public notice of intent to make the new byelaws and then the Council adopts and seals the byelaws.

The new byelaws proposed for adoption have been carefully selected from a list of model byelaws produced by The Ministry of Housing, Communities and Local Government (MHCLG). Developing such byelaws will enable officers to work towards reducing anti-social behaviour and manage issues raised relating to public nuisance on the city's Parks, open spaces and play areas. They are intended to deal with unacceptable behaviour that might cause injury or distress to other park users, or cause damage to the park and therefore detract from all park users' enjoyment.

<b>2. Equality implications/obligations</b>	
Which aims of the Public Sector Equality Duty (PSED) are likely be relevant to the proposal? In this question, consider both the current service and the proposed changes.	
	<b>Is this a relevant consideration? What issues could arise?</b>
<p><b>Eliminate unlawful discrimination, harassment and victimisation</b> How does the proposal/service ensure that there is no barrier or disproportionate impact for anyone with a particular protected characteristic</p>	The byelaws adopted are from a pre-approved list created by the central government The Ministry of Housing, Communities and Local Government (MHCLG) All byelaws including the proposed changes will apply to all park users equally.
<p><b>Advance equality of opportunity between different groups</b> How does the proposal/service ensure that its intended outcomes promote equality of opportunity for users? Identify inequalities faced by those with specific protected characteristic(s).</p>	The proposals are intended to make public parks, open spaces and play areas more inclusive, safer and free from anti-social behaviour and are unlikely to create or have a negative impact on equality of opportunity by all of Leicester's Communities and different groups. The proposed byelaws changes ensure the same standards of behaviour when using public parks, open spaces or play areas are adhered to.
<p><b>Foster good relations between different groups</b> Does the service contribute to good relations or to broader community cohesion objectives? How does it achieve this aim?</p>	The proposal aids the fostering of good relations between different groups as the byelaws provide clarity on what activities are permitted onsite, what behaviour is expected of all visitors when utilising the sites and consequences of breaching the byelaws adopted. The proposals are intended

	to make public parks, open spaces and play areas more inclusive, safer and free from anti-social behaviour.
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### 3. Who is affected?

Outline who could be affected, and how they could be affected by the proposal/service change. Include current service users and those who could benefit from but do not currently access the service.

All park users from across all communities may be affected by the proposals. The proposal is to modernise our byelaws, ensuring they cover our 2018 site list and range of ASB faced. This proposal will also ensure the correct byelaws are applied to relevant sites and that all sites have been assessed and the suitability of byelaw adoption considered fully. This should aid the increase of user safety; see a reduction in reported incidents of un-challenged anti-social behaviour.

### 4. Information used to inform the equality impact assessment

What **data, research, or trend analysis** have you used? Describe how you have got your information and what it tells you. Are there any gaps or limitations in the information you currently hold, and how you have sought to address this, e.g. proxy data, national trends, etc.

We have utilised Police anti – social behaviour data relating to parks, open spaces and play areas, as well as all relevant Local Authority data held including but not limited to,

- Monthly site health and safety inspection audits
- Customer complaints or information received re crime or anti-social behaviour.
- Park Warden monthly anti-social behaviour monitoring data.

- Site user numbers and survey results

Information received from friends of parks groups and other site user groups.

## 5. Consultation

What **consultation** have you undertaken about the proposal with current service users, potential users and other stakeholders?  
What did they say about:

- What is important to them regarding the current service?
- How does (or could) the service meet their needs?
- How will they be affected by the proposal? What potential impacts did they identify because of their protected characteristic(s)?
- Did they identify any potential barriers they may face in accessing services/other opportunities that meet their needs?

The consultation went was live for a period of 4 weeks (8<sup>th</sup>/10<sup>th</sup>/2018 – 05/11/2018) via <https://consultations.leicester.gov.uk/communications/parks-byelaws/>. The consultation was also advertised on all 12 main parks across the city via onsite notice boards. It was emailed to a number of stakeholders who were also asked to share where relevant.

### **Internal consultees:**

Executive Lead 28/09/2018, Community Safety 28/09/2018, Estates & Buildings 28/09/2018, Festival & Events 28/09/2018  
Health Services 28/09/2018, Highways team 28/09/2018, Legal Services 28/09/2018, P&OS management team 28/09/2018  
Planning, City Archaeologist 28/09/2018, Planning, Nature Conservation Officer 28/09/2018, Standards & Development, inc City  
Wardens 28/09/2018, Sports Services 28/09/2018, Ward Councillors 28/09/2018, Trees & Woodlands 28/09/2018

### **External consultees to consider:**

Leicester Environmental Volunteers 18/10/2018, Environment Agency 23/10/2018, British Model Flying Association 28/09/2018,  
Environment Agency 28/09/2018, Leicester Dioceses 28/09/2018, Leicester Disabled Action Group 28/09/2018

LFRS 28/09/2018, National Council for Metal Detecting 28/09/2018, Abbey Park Friends of Group and User Group 28/09/2018, Aylestone Meadows Appreciation Society 12/10/2018, The Friends of Knighton Park 01/10/2018, The Friends of Victoria Park 01/10/2018, Leicestershire Wildlife Trust 01/10/2018, The Friends of Aylestone Hall Gardens 12/10/2018  
Braunstone Park Art Club 12/10/2018, Braunstone Park History Club 12/10/2018, Winstanley Hotel/ Braunstone Park 12/10/2018, Police 28/09/2018, The Department for Culture, Media and Sport, Buildings, Monuments and Sites Division 28/09/2018, Braunstone Park Model Aircraft Club – 28/09/18, Forum for Older People.

### **Responses Received**

There were **36** responses received. The ethnicity responses and percentages are included below and within the full summary within the appendix.

White British - 25 Responses = 69.44%  
Prefer not to say – 4 Responses = 11.11%  
White European – 2 Responses = 5.56%  
Asian or Asian British Bangladeshi – 1 Response = 2.78%  
Asian or Asian British Indian – 1 Response = 2.78%  
Dual or Multiple Heritage – 1 Response = 2.78%  
White Irish – 1 Response = 2.78%  
Other ethnic group – 1 Response = 2.78%  
Total 36 Responses or 100%

Based on Leicester's current population estimation this is a response of 0.007% of the population responding. A response of 1% would have been around 5425.

In summary there were 32 people out of the 36 respondents who left feedback or comments; these are summarized in the table below. The byelaw that attracted the most feedback was Part 3.14 Cycling - 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.

This byelaw received 17 comments from the 36 people who responded which equates to 0.47% of total respondents commenting on this proposed byelaw, however there were 2 responses more in favour of the byelaw proposed than those against.

<b>Byelaw</b>	<b>Positive (In Support of proposal)</b>	<b>Negative (Against)</b>	<b>Other Wording revision or alternative suggestion</b>	<b>Totals</b>
Term Invalid Carriage			Part 1 & 3 Concern raised its outdated term, LCC has raised this with MHCLA.	2
3.14 Cycling	8	6	3 x Should be permitted if done safely	17
Dog Control/Litter			5 x comments re both areas of enforcement not mentioned in byelaws, that is because these are enforced via other legislation.	5
Part 7 Metal Detector	1	0		1
Part 5.26 Bathing	0	1		1
Part 6.31 Model Aircraft General prohibition	2	2		4
Questions not comments			3 received	3
Part 5.30 Fishing	1	0		1
Part 2.8 Protection of wildlife	2	0	Comments raise concern the wording doesn't go far enough.	2
Part 3.15 Motor Vehicles	1	0		1

Part 4.16 Children's Play Areas	0	1		1
Part 7.35 Metal detectors	0	0	Wording suggestion	1
Part 4.18 Skateboarding	3	0		3

There are no changes to be made to the byelaws proposed and consulted on as a result of minimal input received and no overwhelming objections or identification of needs. None of the comments received identified any ways the proposed byelaws would impact on consultees because of their protected characteristic(s) and there were no service access barriers identified that could or would affect consultees from accessing services/other opportunities that meet their needs.

However we acknowledge and support the 2 feedback comments received highlighting the word "Invalid" as being outdated terminology in relation to reference of mobility scooter users. We have raised this directly with The Ministry of Housing, Communities and Local Government (MHCLG) to request they consider changing this wording in future model byelaw guidance on 12/10/2018.

While the model byelaws are tried and tested and designed to cover all eventualities MHCLG recognises that in some cases there may be unique local circumstances meriting a variation to the model byelaw. Where a local council does retain a model byelaw, any changes to the wording should be kept to a minimum. The local council is responsible for providing evidence for the need for each variation which then informs their deregulatory statement that they then publish on their website and submit to the Secretary of State. Unfortunately as this is not a unique local circumstance and we are unable to provide evidence of need for wording variation based on number of responses raising this issue, leaving us unable to change at this time.

We have raised this directly with The Ministry of Housing, Communities and Local Government (MHCLG) to request they consider changing this wording in future model byelaw guidance on 12/10/2018.

## 6. Potential equality Impact

Based on your understanding of the service area, any specific evidence you may have on service users and potential service users, and the findings of any consultation you have undertaken, use the table below to explain which individuals or community groups are likely to be affected by the proposal because of their protected characteristic(s). Describe what the impact is likely to be, how significant that impact is for individual or group well-being, and what mitigating actions can be taken to reduce or remove negative impacts.

Looking at potential impacts from a different perspective, this section also asks you to consider whether any other particular groups, especially vulnerable groups, are likely to be affected by the proposal. List the relevant that may be affected, along with their likely impact, potential risks and mitigating actions that would reduce or remove any negative impacts. These groups do not have to be defined by their protected characteristic(s).

<b>Protected characteristics</b>	<b>Impact of proposal:</b> Describe the likely impact of the proposal on people because of their protected characteristic and how they may be affected. Why is this protected characteristic relevant to the proposal? How does the protected characteristic determine/shape the potential impact of the proposal?	<b>Risk of negative impact:</b> How likely is it that people with this protected characteristic will be negatively affected? How great will that impact be on their well-being? What will determine who will be negatively affected?	<b>Mitigating actions:</b> For negative impacts, what mitigating actions can be taken to reduce or remove this impact? These should be included in the action plan at the end of this EIA.
<b>Age<sup>1</sup></b>	No negative impact anticipated.	N/A	N/A

<sup>1</sup> Age: Indicate which age group is most affected, either specify general age group - children, young people working age people or older people or specific age bands



<b>Disability<sup>2</sup></b>	No negative impact anticipated.	N/A	N/A
<b>Gender Reassignment<sup>3</sup></b>	No negative impact anticipated.	N/A	N/A
<b>Marriage and Civil Partnership</b>	No negative impact anticipated.	N/A	N/A
<b>Pregnancy and Maternity</b>	No negative impact anticipated.	N/A	N/A
<b>Race<sup>4</sup></b>	No negative impact anticipated.	N/A	N/A
<b>Religion or Belief<sup>5</sup></b>	No negative impact anticipated.	N/A	N/A

Age: Indicate which age group is most affected, either specify general age group - children, young people working age people or older people or specific age bands

Disability: if specific impairments are affected by the proposal, specify which these are. Our standard categories are on our equality monitoring form – physical impairment, sensory impairment, mental health condition, learning disability, long standing illness or health condition.

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<sup>2</sup> Disability: if specific impairments are affected by the proposal, specify which these are. Our standard categories are on our equality monitoring form – physical impairment, sensory impairment, mental health condition, learning disability, long standing illness or health condition.

<sup>3</sup> Gender reassignment: indicate whether the proposal has potential impact on trans men or trans women, and if so, which group is affected.

<sup>4</sup> Race: given the city's racial diversity it is useful that we collect information on which racial groups are affected by the proposal. Our equalities monitoring form follows ONS general census categories and uses broad categories in the first instance with the opportunity to identify more specific racial groups such as Gypsies/Travellers. Use the most relevant classification for the proposal.

<sup>5</sup> Religion or Belief: If specific religious or faith groups are affected by the proposal, our equalities monitoring form sets out categories reflective of the city's population. Given the diversity of the city there is always scope to include any group that is not listed.

Gender reassignment: indicate whether the proposal has potential impact on trans men or trans women, and if so, which group is affected.

Race: given the city’s racial diversity it is useful that we collect information on which racial groups are affected by the proposal. Our equalities monitoring form follows ONS general census categories and uses broad categories in the first instance with the opportunity to identify more specific racial groups such as Gypsies/Travellers. Use the most relevant classification for the proposal.

Religion or Belief: If specific religious or faith groups are affected by the proposal, our equalities monitoring form sets out categories reflective of the city’s population. Given the diversity of the city there is always scope to include any group that is not listed.

<b>Sex<sup>6</sup></b>	No negative impact anticipated.	N/A	N/A
<b>Sexual Orientation<sup>7</sup></b>	No negative impact anticipated.	N/A	N/A
<b>Summarise why the protected characteristics you have commented on, are relevant to the proposal?</b>			
<b>Summarise why the protected characteristics you have not commented on, are not relevant to the proposal? The proposals are intended to make public parks, open spaces and play areas more inclusive, safer and free from anti-social behaviour for users and visitors from across all protected characteristics.</b>			

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<sup>6</sup> Sex: Indicate whether this has potential impact on either males or females

<sup>7</sup> Sexual Orientation: It is important to remember when considering the potential impact of the proposal on LGBT communities, that they are each separate communities with differing needs. Lesbian, gay, bisexual and transgender people should be considered separately and not as one group. The gender reassignment category above considers the needs of trans men and trans women.

<b>Other groups</b>	<b>Impact of proposal:</b> Describe the likely impact of the proposal on children in poverty or any other people who we consider to be vulnerable. List any vulnerable groups likely to be affected. Will their needs continue to be met? What issues will affect their take up of services/other opportunities that meet their needs/address inequalities they face?	<b>Risk of negative impact:</b> How likely is it that this group of people will be negatively affected? How great will that impact be on their well-being? What will determine who will be negatively affected?	<b>Mitigating actions:</b> For negative impacts, what mitigating actions can be taken to reduce or remove this impact for this vulnerable group of people? These should be included in the action plan at the end of this EIA.
<b>Children in poverty</b>	No negative impact anticipated.	N/A	N/A
<b>Other vulnerable groups</b>	No negative impact anticipated.	N/A	N/A
<b>Other (describe)</b>	No negative impact anticipated.	N/A	N/A
<p><b>7. Other sources of potential negative impacts</b></p>			
<p>Are there any other potential negative impacts external to the service that could further disadvantage service users over the next three years that should be considered? For example, these could include: other proposed changes to council services that would affect the same group of service users; Government policies or proposed changes to current provision by public agencies (such as new benefit arrangements) that would negatively affect residents; external economic impacts such as an economic downturn.</p>			
<p>No negative impact highlighted or anticipated</p>			
<p><b>8. Human Rights Implications</b></p>			
<p>Are there any human rights implications which need to be considered (please see the list at the end of the template), if so please complete the Human Rights Template and list the main implications below:</p>			
<p>No negative impact highlighted or anticipated</p>			

## 9. Monitoring Impact

You will need to ensure that monitoring systems are established to check for impact on the protected characteristics and human rights after the decision has been implemented. Describe the systems which are set up to:

- monitor impact (positive and negative, intended and unintended) for different groups
- monitor barriers for different groups
- enable open feedback and suggestions from different communities
- ensure that the EIA action plan (below) is delivered.

Park and open space users are able to provide feedback 365 days per year via My Account system online at [WWW.Leicester.gov.uk](http://WWW.Leicester.gov.uk)

## 10. EIA action plan

Please list all the equality objectives, actions and targets that result from this Assessment (continue on separate sheets as necessary). These now need to be included in the relevant service plan for mainstreaming and performance management purposes.

Equality Outcome	Action	Officer Responsible	Completion date
Understand concerns of park users	Continue to monitor customer complaints/comments or information received re crime or anti-social behaviour.	Victoria Hudson, Community Development Manager	Ongoing
	Continue to monitor Park Warden monthly anti-social behaviour monitoring data.	Kevin Southerill, Parks Security Officer	Ongoing

## **Human Rights Articles:**

### **Part 1: The Convention Rights and Freedoms**

- Article 2:** Right to Life
- Article 3:** Right not to be tortured or treated in an inhuman or degrading way
- Article 4:** Right not to be subjected to slavery/forced labour
- Article 5:** Right to liberty and security
- Article 6:** Right to a fair trial
- Article 7:** No punishment without law
- Article 8:** Right to respect for private and family life
- Article 9:** Right to freedom of thought, conscience and religion
- Article 10:** Right to freedom of expression
- Article 11:** Right to freedom of assembly and association
- Article 12:** Right to marry
- Article 14:** Right not to be discriminated against

### **Part 2: First Protocol**

- Article 1:** Protection of property/peaceful enjoyment
- Article 2:** Right to education
- Article 3:** Right to free elections

# **Appendix 4 – Leicester City Council proposed Parks Byelaws**

*Leicester City Council*

**BYELAWS FOR PLEASURE GROUNDS, PUBLIC WALKS  
AND OPEN SPACES**

ARRANGEMENT OF BYELAWS

PART 1

GENERAL

1. General interpretation
2. Application
3. Opening times

PART 2

PROTECTION OF THE GROUND, ITS WILDLIFE AND THE PUBLIC

Interpretation of Part 2

4. Protection of structures and plants
5. Unauthorised erection of structures
6. Climbing
7. Grazing
8. Protection of wildlife
9. Camping
10. Fires
11. Missiles
12. Interference with life-saving equipment

PART 3

HORSES, CYCLES AND VEHICLES

Interpretation of Part 3

13. Horses - Horse riding prohibited except on designated route (subject to bridleway, etc)
14. Cycling
15. Motor vehicles





## PART 4

### PLAY AREAS, GAMES AND SPORTS

#### Interpretation of Part 4

16. Children's play areas
17. Skateboarding, etc - Skateboarding, etc permitted but must not cause danger or annoyance
18. Skateboarding, etc - Skateboarding, etc permitted only in designated area
19. Ball games - Prohibition of ball games
20. Ball games - Ball games permitted throughout the ground but designated area for ball games also provided
21. Ball games - Rules
22. Cricket
23. Archery
24. Field sports
25. Golf - Prohibited except on golf course

## PART 5

### WATERWAYS

#### Interpretation of Part 5

26. Bathing
27. Ice skating
28. Model boats
29. Boats - To prohibit use of boats, etc. without permission
30. Fishing

## PART 6

### MODEL AIRCRAFT

#### Interpretation of Part 6

31. Model aircraft - Model aircraft permitted in designated areas

PART 7  
OTHER REGULATED ACTIVITIES

- 32. Provision of services
- 33. Excessive noise
- 34. Public shows and performances
- 35. Aircraft, hang-gliders and hot air balloons
- 36. Kites
- 37. Metal detectors

PART 8  
MISCELLANEOUS

- 38. Obstruction
- 39. Savings
- 40. Removal of offenders
- 41. Penalty
- 42. Revocation - General

SCHEDULE 1 - Grounds to which byelaws apply generally

SCHEDULE 2 - Grounds referred to in certain byelaws

SCHEDULE 3 - Rules for playing ball games in designated areas

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 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.

### **Camping**

9. 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**

10. (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 10 (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**

11. 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**

12. 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**

13. (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**

14. 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**

15. 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.

## **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**

16. 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. This byelaw applies to all grounds listed in Part 2 of Schedule 2.

#### **Skateboarding, etc**

17. 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. This byelaw applies to the grounds listed in Part 3 of Schedule 2.
18. (1) No person shall skate, slide or ride on rollers, skateboards or other self-propelled vehicles except in a designated area for such activities. This byelaw applies to the grounds listed in Part 4 of Schedule 2.  
  
(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**

19. No person shall play ball games in the ground. This byelaw applies to all the grounds listed in Part 5 of schedule 2.

20. 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.
21. 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**

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

### **Archery**

23. 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**

24. 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**

25. 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**

26. No person shall without reasonable excuse bathe or swim in any waterway except in a designated area for bathing and swimming. This byelaw applies to all the grounds listed in Part 6 of Schedule 2.

#### **Ice skating**

27. No person shall step onto or otherwise place their weight upon any frozen waterway. This byelaw applies to all the grounds listed in Part 7 of Schedule 2.

#### **Model boats**

28. No person shall operate a power-driven model boat on any waterway except in a designated area for model boats. This byelaw applies to the grounds listed in Part 8 of Schedule 2.

#### **Boats**

29. No person shall sail or operate any boat, dinghy, canoe, sailboard or inflatable on any waterway without the consent of the Council. This byelaw applies to all the grounds listed in Part 9 of Schedule 2.

#### **Fishing**

30. 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. This byelaw applies to all the grounds listed in Part 10 of schedule 2.

**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.

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

**General prohibition**

31. 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;

other than in a designated area for flying model aircraft.

## PART 7

### OTHER REGULATED ACTIVITIES

#### Provision of services

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

#### Excessive noise

33. (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 33 (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

34. 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

35. 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

36. 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

37. (1) 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 at the following locations:

*Abbey Grounds, Abbey Park, All Saints Church, Aylestone Hall Gardens, Aylestone Playing Fields, Belgrave Gardens, Braunstone Park, Bridge Road Open Space, Castle Gardens, Castle Hill Country Park, Cedar Road Play*

*Area, Christopher Drive Play Area, Clarendon Road Play Area, De Montfort Square, Green Dragon Square, Jubilee Square, Leicester Cathedral, Loughborough Road Play Area, Maidstone Road Play Area, Museum Square, Peace Walk, New Walk Place, Onslow Street Play Area, Overton Road Play Area, Piggy's Hollow, Ryder Road Play Area, Shady Lane Arboretum, Sharmon Crescent Play Area, Southernhay Play Area, Sonning Way Open Space, St Andrews Church, St Denys Church, St Georges Church, St Georges Street Play Area, St Margarets Church, St Mary de Castro Church, St Mary Magdalene Church, St Marys Church, St Nicholas Church, St Peters Church (Belgrave), St Peters Church (Braunstone), Stoughton Street South Play Area, The Oval, Town Hall Square, Victoria Park, Vulcan Road Play Area, Westcotes Gardens.*

(2) Byelaw 37 (1) shall not apply to all the grounds listed in Part 11 of schedule 2.

**PART 8**  
**MISCELLANEOUS**

**Obstruction**

38. 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**

39. (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**

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

**Penalty**

41. 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**

42. The byelaws made by Leicester City Council on 13/08/2008 and confirmed by Secretary of State, Ministry of Housing, Communities and Local Government on 05/04/2009 relating to the ground are hereby revoked.

# SCHEDULES

## SCHEDULE 1

### GROUNDS TO WHICH BYELAWS APPLY GENERALLY

Abbey Grounds	Franklin Fields Open Space
Abbey Park	Gilmorton Avenue Open Space
Abbey Park Road/Belgrave Circle (Corner)	Goldhill Spinney
All Saints Church	Goss Meadows Nature Reserve
Appleton Park & Peebles Way Nature Area	Grange Spinney
Ash Street Play Area	Green Dragon Square
Astill Lodge Park	Gwendolen Gardens
Aylestone Hall Gardens	Hadrian Road Open Space
Aylestone Meadows	Hamilton Greenways
Aylestone Playing Fields	Hamilton Park
Aylestone Recreation Ground North	Heacham Drive Open Space
Aylestone Recreation Ground South	Her Ladyship's Covert
Beaumont Lodge Nature Area	Hillsborough Road Recreation Ground
Beaumont Park	Hockley Farm Road Open Space
Bede Park	Holmwood Drive Open Space
Belgrave Gardens	Hughenden Drive Open Space
Bennion Pools	Humberstone Community Gardens
Benskins Oval	Humberstone Park
Braunstone Park	Ingold Avenue Open Space
Bridge Road Open Space	Jesse Jackson Park
Brocklesby Way Open Space	Jubilee Square
Bronte Close Open Space	Keepers Lodge Park
Bushy Park	Kenwood Road Open Space
Cardinal's Meadow	Kirby Frith Nature Area
Castle Gardens	Knighton Park
Castle Hill Country Park	Leicester Cathedral
Cedar Road Play Area	Lily Marriott Gardens
Chiltern Green Open Space	Little Mead
Christopher Drive Play Area	Loughborough Road Play Area
Church Lane Gardens	Maidstone Road Play Area
Churchfields	Martin Street Open Space
Clarendon Gardens	Meadow Garden Recreation Ground
Clarendon Park Road Play Area	Meadvale Road Open Space
College Green	Meynells Gorse
Cossington Recreation Ground	Monks Rest Gardens
Crafton Street Open Space	Montrose Road Open Space
Craven Recreation Ground	Mowmacre Sports Ground
Darenth Drive Open Space	Museum Square
Dawson Way Open space	Nelson Mandela Park
De Montfort Square	Netherhall Open Space
Ellis Meadows	New Walk Place
Elston Fields Open Space	Oakland Avenue Nature Reserve
Evington Park	Ocean Road Open Space
Evington Village Green	Onslow Street Play Area
Exchange Park	Overton Road Play Area
Featherstone Drive Open Space	Peace Walk
Fosse Recreation Ground	Pendene Open Space

Piggy's Hollow  
Prebend Gardens  
Rancliffe Gardens Nature Area  
Rood Mead  
Rushey Fields Recreation Ground  
Ryder Road Play Area  
Sedgebrook Road Open Space  
Shady Lane Arboretum  
Sharmon Crescent Play Area  
Sonning Way Open Space  
Southernhay Play Area  
Sparrow Park  
Spinney Hill Park  
St Andrews Church  
St Denys Church  
St Georges Church  
St Georges Street Play Area  
St Margarets Church  
St Mary de Castro Church  
St Mary Magdalene Church  
St Marys Church  
St Mary's Open Space  
St Mary's Park  
St Mary's Triangle  
St Nicholas Church  
St Peters Church (Belgrave)  
St Peters Church (Braunstone)

St. Helens Close Open Space  
Stokes Wood Park  
Stoughton Street South Play Area  
Taverners Road open space  
Taylor Road Open Space  
The Mud dumps  
The Oval  
The Rally  
Thirlmere Street Gardens  
Tilling Walk  
Towers Park  
Town Hall Square  
Trevino Drive Open Space  
Tudor Road Gardens  
Victoria Park  
Vulcan Road Play Area  
Washbrook Nature Area  
Watermead Country Park  
Westbourne Street Nature Area  
Westcotes Gardens  
Westcotes Park  
Western Park  
Willowbrook Park  
Windmill Park

## SCHEDULE 2

### GROUNDS REFERRED TO IN CERTAIN BYELAWS

#### PART 1

##### OPENING TIMES (BYELAW 3(1))

Abbey Grounds	Gwendolen Gardens
Abbey Park	Humberstone Community Gardens
Aylestone Hall Gardens	Prebend Gardens
Castle Gardens	Westcotes Gardens

#### PART 2

##### CHILDREN'S PLAY AREAS (BYELAW 16)

Abbey Grounds	Jesse Jackson Park
Appleton Park & Peebles Way Nature Area	Keepers Lodge Park
Ash Street Play Area	Knighton Park
Astill Lodge Park	Lily Marriott Gardens
Aylestone Meadows	Loughborough Road Play Area
Aylestone Playing Fields	Maidstone Road Play Area
Aylestone Recreation Ground North	Monks Rest Gardens
Bede Park	Montrose Road Open Space
Belgrave Gardens	Nelson Mandela Park
Braunstone Park	Netherhall Open Space
Bridge Road Open Space	Onslow Street Play Area
Brocklesby Way Open Space	Overton Road Play Area
Bronte Close Open Space	Rushey Fields Recreation Ground
Bushy Park	Ryder Road Play Area
Castle Hill Country Park	Sedgebrook Road Open Space
Cedar Road Play Area	Sharmon Crescent Play Area
Chiltern Green Open Space	Southernhay Play Area
Christopher Drive Play Area	Sparrow Park
Church Lane Gardens	Spinney Hill Park
Clarendon Park Road Play Area	St Georges Street Play Area
College Green	St Mary's Park
Cossington Recreation Ground	Stoughton Street South Play Area
Craven Recreation Ground	The Rally
Darenth Drive Open Space	Thirlmere Street Gardens
Elston Fields Open Space	Towers Park
Evington Park	Trevino Drive Open Space
Evington Village Green	Victoria Park
Exchange Park	Vulcan Road Play Area
Fosse Recreation Ground	Watermead Country Park
Gilmorton Avenue Open Space	Westcotes Gardens
Hadrian Road Open Space	Westcotes Park
Hamilton Park	Western Park
Hillsborough Road Recreation Ground	Willowbrook Park
Humberstone Park	Windmill Park
Ingold Avenue Open Space	



### PART 3

#### SKATING ETC. PERMITTED BUT MUST NOT CAUSE DANGER OR ANNOYANCE

##### (BYELAW 17)

Abbey Grounds	Hamilton Greenways
Abbey Park	Hamilton Park
Appleton Park & Peebles Way Nature Area	Heacham Drive Open Space
Astill Lodge Park	Her Ladyship's Covert
Aylestone Hall Gardens	Hillsborough Road Recreation Ground
Aylestone Meadows	Hockley Farm Road Open Space
Aylestone Playing Fields	Holmwood Drive Open Space
Aylestone Recreation Ground North	Humberstone Community Gardens
Aylestone Recreation Ground South	Humberstone Park
Beaumont Lodge Nature Area	Ingold Avenue Open Space
Beaumont Park	Jesse Jackson Park
Bede Park	Keepers Lodge Park
Belgrave Gardens	Kirby Frith Nature Area
Bennion Pools	Knighton Park
Benskins Oval	Lily Marriott Gardens
Braunstone Park	Little Mead
Bridge Road Open Space	Loughborough Road Play Area
Brocklesby Way Open Space	Maidstone Road Play Area
Bronte Close Open Space	Martin Street Open Space
Bushy Park	Meynells Gorse
Cardinal's Meadow	Monks Rest Gardens
Castle Hill Country Park	Montrose Road Open Space
Cedar Road Play Area	Mowmacre Sports Ground
Chiltern Green Open Space	Nelson Mandela Park
Christopher Drive Play Area	Netherhall Open Space
Church Lane Gardens	Oakland Avenue Nature Reserve
Churchfields	Ocean Road Open Space
Clarendon Gardens	Onslow Street Play Area
Clarendon Park Road Play Area	Overton Road Play Area
College Green	Piggy's Hollow
Cossington Recreation Ground	Prebend Gardens
Crafton Street Open Space	Rancliffe Gardens Nature Area
Craven Recreation Ground	Rood Mead
Darenth Drive Open Space	Rushey Fields Recreation Ground
Dawson Way Open space	Ryder Road Play Area
Ellis Meadows	Sedgebrook Road Open Space
Elston Fields Open Space	Shady Lane Arboretum
Evington Park	Sharmon Crescent Play Area
Evington Village Green	Sonning Way Open Space
Exchange Park	Southernhay Play Area
Featherstone Drive Open Space	Sparrow Park
Fosse Recreation Ground	Spinney Hill Park
Gilmorton Avenue Open Space	St Mary's Park
Goldhill Spinney	St Mary's Triangle
Goss Meadows Nature Reserve	St. Helens Close Open Space
Grange Spinney	Stokes Wood Park
Gwendolen Gardens	Stoughton Street South Play Area
Hadrian Road Open Space	Taverners Road open space

Taylor Road Open Space  
The Mud dumps  
The Oval  
The Rally  
Thirlmere Street Gardens  
Tilling Walk  
Towers Park  
Trevino Drive Open Space  
Tudor Road Gardens  
Victoria Park

Vulcan Road Play Area  
Washbrook Nature Area  
Watermead Country Park  
Westbourne Street Nature Area  
Westcotes Gardens  
Westcotes Park  
Western Park  
Willowbrook Park  
Windmill Park

#### PART 4

##### SKATING ETC. PERMITTED ONLY IN DESIGNATED AREA (BYELAW 18)

All Saints Church  
Castle Gardens  
De Montfort Square  
Green Dragon Square  
Jubilee Square  
Leicester Cathedral  
Museum Square  
New Walk Place  
Peace Walk  
St Andrews Church

St Denys Church  
St Georges Church  
St Margarets Church  
St Mary de Castro Church  
St Mary Magdalene Church  
St Marys Church  
St Nicholas Church  
St Peters Church (Belgrave)  
St Peters Church (Braunstone)  
Town Hall Square

#### PART 5

##### PROHIBITION OF BALL GAMES (BYELAW 19)

All Saints Church  
Bennion Pools  
Clarendon Gardens  
Goldhill Spinney  
Grange Spinney  
Green Dragon Square  
Her Ladyship's Covert  
Humberstone Community Gardens  
Jubilee Square  
Leicester Cathedral  
Little Mead  
Meynells Gorse  
Museum Square  
New Walk Place

Oakland Avenue Nature Reserve  
Peace Walk  
Piggy's Hollow  
St Andrews Church  
St Denys Church  
St Georges Church  
St Margarets Church  
St Mary de Castro Church  
St Mary Magdalene Church  
St Marys Church  
St Nicholas Church  
St Peters Church (Belgrave)  
St Peters Church (Braunstone)  
Town Hall Square

PART 6  
BATHING (BYELAW 26)

Abbey Grounds	Lily Marriott Gardens
Abbey Park	Little Mead
Abbey Park Road/Belgrave Circle (Corner)	Netherhall Open Space
Aylestone Meadows	Oakland Avenue Nature Reserve
Belgrave Gardens	Ocean Road Open Space
Bennion Pools	Rood Mead
Braunstone Park	Sedgebrook Road Open Space
Castle Hill Country Park	Shady Lane Arboretum
Dawson Way Open space	Spinney Hill Park
Ellis Meadows	Victoria Park
Featherstone Drive Open Space	Washbrook Nature Area
Hamilton Park	Watermead Country Park
Humberstone Community Gardens	Westcotes Park
Humberstone Park	Willowbrook Park
Knighton Park	

PART 7  
ICE SKATING (BYELAW 27)

Abbey Grounds	Knighton Park
Abbey Park	Lily Marriott Gardens
Abbey Park Road/Belgrave Circle (Corner)	Little Mead
Aylestone Meadows	Netherhall Open Space
Aylestone Playing Fields	Oakland Avenue Nature Reserve
Belgrave Gardens	Ocean Road Open Space
Bennion Pools	Rood Mead
Braunstone Park	Sedgebrook Road Open Space
Castle Hill Country Park	Shady Lane Arboretum
Dawson Way Open space	Spinney Hill Park
Ellis Meadows	Victoria Park
Evington Park	Washbrook Nature Area
Featherstone Drive Open Space	Watermead Country Park
Hamilton Park	Westcotes Park
Humberstone Community Gardens	Willowbrook Park
Humberstone Park	

PART 8

MODEL BOATS (BYELAW 28)

Abbey Park  
Bennion Pools  
Braunstone Park  
Ellis Meadows  
Hamilton Park

Humberstone Community Gardens  
Oakland Avenue Nature Reserve  
Victoria Park  
Watermead Country Park

PART 9

TO PROHIBIT THE USE OF BOATS WITHOUT PERMISSION (BYELAW 29)

Abbey Park  
Bennion Pools  
Braunstone Park

Hamilton Park  
Oakland Avenue Nature Reserve  
Watermead Country Park

PART 10

FISHING (BYELAW 30)

Abbey Park  
Bennion Pools  
Braunstone Park

Ellis Meadows  
Hamilton Park  
Watermead Country Park

PART 11

METAL DETECTORS (BYELAW 37 (2))

Abbey Park Road/Belgrave Circle (Corner)  
Appleton Park & Peebles Way Nature Area  
Astill Lodge Park  
Aylestone Meadows  
Aylestone Recreation Ground North  
Aylestone Recreation Ground South  
Beaumont Lodge Nature Area  
Beaumont Park  
Bede Park  
Bennion Pools  
Benskins Oval  
Brocklesby Way Open Space  
Bronte Close Open Space  
Bushy Park  
Cardinal's Meadow  
Chiltern Green Open Space  
Church Lane Gardens  
Churchfields  
Clarendon Gardens  
College Green  
Cossington Recreation Ground  
Crafton Street Open Space  
Craven Recreation Ground  
Darenth Drive Open Space  
Dawson Way Open space  
Ellis Meadows  
Elston Fields Open Space  
Evington Park  
Evington Village Green  
Exchange Park  
Featherstone Drive Open Space  
Fosse Recreation Ground  
Gilmorton Avenue Open Space  
Goldhill Spinney  
Goss Meadows Nature Reserve  
Grange Spinney  
Gwendolen Gardens  
Hadrian Road Open Space  
Hamilton Greenways  
Hamilton Park  
Heacham Drive Open Space  
Her Ladyship's Covert  
Hillsborough Road Recreation Ground  
Hockley Farm Road Open Space  
Holmwood Drive Open Space  
Hughenden Drive Open Space  
Humberstone Community Gardens  
Humberstone Park  
Ingold Avenue Open Space  
Jesse Jackson Park  
Keepers Lodge Park  
Kenwood Road Open Space

Kirby Frith Nature Area  
Knighton Park  
Lily Marriott Gardens  
Little Mead  
Martin Street Open Space  
Meadow Garden Recreation Ground  
Meadvale Road Open Space  
Meynells Gorse  
Monks Rest Gardens  
Montrose Road Open Space  
Mowmacre Sports Ground  
Nelson Mandela Park  
Netherhall Open Space  
Oakland Avenue Nature Reserve  
Ocean Road Open Space  
Pendene Open Space  
Prebend Gardens  
Rancliffe Gardens Nature Area  
Rood Mead  
Rushey Fields Recreation Ground  
Sedgebrook Road Open Space  
Sparrow Park  
Spinney Hill Park  
St Mary's Park  
St Mary's Triangle  
St. Helens Close Open Space  
Stokes Wood Park  
Taverners Road open space  
Taylor Road Open Space  
The Mud dumps  
The Rally  
Thirlmere Street Gardens  
Tilling Walk  
Towers Park  
Trevino Drive Open Space  
Tudor Road Gardens  
Washbrook Nature Area  
Watermead Country Park  
Westbourne Street Nature Area  
Westcotes Park  
Western Park  
Willowbrook Park  
Windmill Park

## SCHEDULE 3

### **RULES FOR PLAYING BALL GAMES IN DESIGNATED AREAS (BYELAW 21)**

Any person using a designated area for playing ball games is required by byelaw 21 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.