

CHEPPING WYCOMBE PARISH COUNCIL

SPECIAL COUNCIL MEETING

Tuesday 1 March 2016

Members of the council are summoned to attend a Special Meeting of the Council to be held at **7.30pm** at the Council Office, Cock Lane, Tylers Green, High Wycombe, Bucks HP10 8DS.

The meeting is open to members of the public and press.

AGENDA

1. Apologies for absence

2. Declarations of member's interests in agenda items

3. Sealing the Byelaws

Council is asked to CONSIDER and APPROVE for formal adoption the Byelaws as attached at APPENDIX A

Council is asked to NOTE that provisional approval has been granted by the Secretary of State. In order to comply with the current guidelines and to proceed for confirmation of the byelaws by the Secretary of State they need to be sealed before 3 March 2016.

Sealing of the byelaws will be in accordance with Standing Order 22 (a) & (b).



Wendy Thompson
Clerk of the Council
22 February 2016

Chepping Wycombe Parish Council

**Byelaws for recreation grounds,
public walks and open spaces**

ARRANGEMENT OF BYELAWS

PART 1

GENERAL

1. General interpretation
2. Application

PART 2

PROTECTION OF THE GROUND, ITS WILDLIFE AND THE PUBLIC

3. Protection of structures and plants
4. Unauthorised erection of structures
5. Climbing
6. Grazing
7. Protection of wildlife
8. Gates
9. Camping
10. Fires
11. Missiles

PART 3

HORSES, CYCLES AND VEHICLES

12. Interpretation of Part 3
13. Horses - Horse riding permitted but must not cause danger
14. Cycling
15. Motor vehicles
16. Overnight parking

PART 4

PLAY AREAS, GAMES AND SPORTS

- 17. Interpretation of Part 4
- 18. Children's play areas
- 19. Children's play apparatus
- 20. Skateboarding, etc - permitted but must not cause danger or annoyance
- 21. Ball games - permitted throughout the ground but designated area also provided
- 22. Golf - prohibited

PART 5

WATERWAYS

- 23. Interpretation of Part 5
- 24. Model boats
- 25. Fishing – prohibited except in designated areas

PART 6

OTHER REGULATED ACTIVITIES

- 26. Provision of services
- 27. Excessive noise
- 28. Public shows and performances
- 29. Metal detectors

PART 7

MISCELLANEOUS

- 30. Obstruction
- 31. Savings
- 32. Removal of offenders
- 33. Penalty
- 34. Revocation

SCHEDULE 1 - Grounds to which byelaws apply generally

SCHEDULE 2 – Designated routes for cycling

Byelaws made under section 164 of the Public Health Act 1972, section 15 of the Open Spaces Act 1906, sections 12 and 15 of the Open Spaces Act 1906 by the Chepping Wycombe Parish Council with respect to recreation grounds and open spaces.

PART 1

GENERAL

General Interpretation

1. In these byelaws:

“the Council” means Chepping Wycombe Parish Council;

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

“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 un-laden 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 the Schedule

PART 2

PROTECTION OF THE GROUND, ITS WILDLIFE AND THE PUBLIC

Protection of structures and plants

3. (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

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

Climbing

5. 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

6. 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

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

Gates

8. (1) No person shall leave open any gate to which this byelaw applies and which he has opened or caused to be opened.
- (2) Byelaw 8 (1) applies to any gate to which is attached, or near to which is displayed a conspicuous notice stating that leaving the gate open is prohibited.

Camping

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.

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 the lighting of a fire at any event for which the Council has given permission that fires may be lit.

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.

PART 3

HORSES, CYCLES AND VEHICLES

Interpretation of Part 3

12. 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. No person shall ride a horse in the ground 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 as shown in Schedule 2.

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.

Overnight parking

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

PART 4

PLAY AREAS, GAMES AND SPORTS

Interpretation of Part [4]

17. 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;

“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

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

Children’s play apparatus

19. No person aged 14 years or over shall use any apparatus stated to be for the exclusive use of persons under the age of 14 years by a notice conspicuously displayed on or near the apparatus.

Skateboarding, etc

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

Ball games

21. 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.

Golf

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

PART 5 WATERWAYS

Interpretation of Part 5

23. 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.

Model boats

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

Fishing

25. 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.

PART 6 OTHER REGULATED ACTIVITIES

Provision of services

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

Excessive noise

27. (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 27 (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

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

Metal detectors

29. No person shall without the consent of the Council use any device designed or adapted for detecting or locating any metal or mineral in the ground.

PART 7 MISCELLANEOUS

Obstruction

30. 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

- 31 (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

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

Penalty

- 33 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

- 34 The byelaws made by Chepping Wycombe Parish Council on 19 April 1991 and confirmed by the Secretary of State on 31 July 1991 relating to the Grounds are hereby revoked.

SCHEDULE 1

GROUND TO WHICH BYELAWS APPLY

The grounds referred to in byelaw 2 are:

Ashley Drive Recreation Ground	Tylers Green
Beechwood Gardens Amenity Area	Loudwater
Boundary Road Recreation Ground	Loudwater
Clearbrook Close Amenity Area	Loudwater
Derehams Park Recreation Ground	Loudwater
Green Dragon Recreation Ground	Flackwell Heath
Heath End Common	Flackwell Heath
Kings Wood	Tylers Green
Lower Kingsmead Amenity Area	Loudwater
Magpie Wood	Loudwater
Oakwood Recreation Ground	Flackwell Heath
Old Forge Bank Amenity Area	Loudwater
Orchard Green Amenity Area	Flackwell heath
Pistles Pond	Beacon Hill, Tylers Green
Pond Wood Copse	Beacon Hill, Tylers Green
Queensmead Amenity Area	Loudwater
Railway Land Conservation Area	Loudwater
Straight Bit Recreation Ground	Flackwell Heath
School Green & Jubilee Garden	Straight Bit, Flackwell Heath
Tylers Green Common	Tylers Green

SCHEDULE 2

DESIGNATED ROUTES FOR CYCLING (byelaw 14)

Designated routes for cycling in King's Wood, Tyllers Green, as shown on the map by the pale blue Skills & Thrills lines

