

# RUSKINGTON PARISH COUNCIL

## BYELAWS RELATING TO PLEASURE GROUNDS, PUBLIC WALKS AND OPEN SPACES

Byelaws made by the Council of the Parish of Ruskington under Section 164 of the Public Health Act 1875 and Sections 12 and 15 of the Open Spaces Act 1906 with respect to the lands referred to in the Schedule hereto.

### **Interpretation**

1. In these byelaws:

"The Council" means the Council of the Parish of Ruskington;

"The ground" means the lands referred to in the Schedule hereto.

### **Opening Times**

2. On any day on which the ground is open to the public, no person shall enter it before the time, or enter or remain in it after the time, indicated by a notice placed in a conspicuous position at the entrance to the ground.

### **Vehicles**

3. (1) No person shall, without reasonable excuse, ride or drive a cycle, motor cycle, motor vehicle or any other mechanically propelled vehicle in the ground, or bring or cause to be brought into the ground a motor cycle, motor vehicle, trailer or any other mechanically propelled vehicle (other than a cycle), except in any part of the ground where there is a right of way for that class of vehicle.

(2) If the Council have set apart a space in the ground for use by vehicles of any class, this byelaw shall not prevent the riding or driving of those vehicles in the space so set apart, or on a route, indicated by signs placed in conspicuous positions, between it and the entrance to the ground.

(3) This byelaw shall not extend to invalid carriages.

(4) In this byelaw:

"cycle" means a bicycle, a tricycle, or a cycle having four or more wheels, not being in any case a motor cycle or motor vehicle;

"invalid carriage" means a vehicle, whether mechanically propelled or not, the unladen weight of which does not exceed 150 kilograms, the width of which does not exceed 0.85 metres and which has been constructed or adapted for use for the carriage of one person, being a person suffering from some physical defect or disability and is used solely by such a person;

"motor cycle" means a mechanically propelled vehicle, not being an invalid carriage, with less than four wheels and the weight of which unladen does not exceed 410 kilograms;

"motor vehicle" means a mechanically propelled vehicle, not being an invalid carriage, intended or adapted for use on roads;

"trailer" means a vehicle drawn by a motor vehicle and includes a caravan.

### **Climbing**

4. 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.

#### **Removal of Structures**

5. No person shall, without reasonable excuse, remove from or displace in the ground any barrier, railing, post or seat, or any part of any structure or ornament, or any implement provided for use in the laying out or maintenance of the ground.

#### **Erection Of Structures**

6. No person shall in the ground, without the consent of the Council, erect any post, rail, fence, pole, tent, booth, stand, building or other structure.

#### **Trading**

7. No person shall in the ground, without the consent of the Council, sell, or offer or expose for sale, or let to hire, or offer or expose for letting to hire, any commodity or article.

#### **Grazing**

8. No person shall, without the consent of the Council, turn out or permit any animal to graze in the ground.

#### **Protection Of Flower Beds, Trees, Grass, Etc.**

9. No person who brings or causes to be brought into the ground a vehicle shall wheel or park it over or upon

(a) Any flower bed, shrub or plant, or any ground in the course of preparation as a flower bed, or for the growth of any tree, shrub or plant; or

(b) Any part of the ground where the Council, by a notice placed in a conspicuous position in the ground, prohibit its being wheeled or parked

10. No person shall in the ground enter upon:

(a) A flower bed, shrub or plant, or any ground in the course of preparation as a flower bed, or for the growth of any tree, shrub, or plant; or

(b) Any part of the ground set aside for the renovation of grass or turf, where adequate notice to keep off such grass or turf is exhibited

#### **Games**

11. Where the Council have, by a notice placed in a conspicuous position in the ground, set apart an area in the ground for the playing of such games as may be specified in the notice, no person shall:

(a) Play in such an area any game other than the game for which it has been set apart;

(b) Use any such area so as to give reasonable grounds for annoyance to any person already using that area for any purpose for which it has been set apart; or (c)

(c) Play any game so specified in any other part of the ground in such a manner as to exclude any person not playing the game from the use of that part.

12. No person shall, in any area of the ground which may have been set apart by the Council for any game, play any game when the state of the ground or other cause makes it unfit for use and a notice is placed in a conspicuous position prohibiting play in that area of the ground.

**Bathing And Pollution of Water**

14. No person shall in the ground

- (a) Bathe, wade or wash in any ornamental lake, pond, stream, or other water; or
- (b) Intentionally, carelessly, or negligently foul or pollute any such water.

**Obstruction**

15. No person shall in the ground

- (a) Intentionally obstruct any officer of the Council in the proper execution of his duties;
- (b) Intentionally obstruct any person carrying out an act which is necessary to the proper execution of any contract with the Council; or
- (c) Intentionally obstruct any other person in the proper use of the ground, or behave so as to give reasonable grounds for annoyance to other persons in the ground

**Savings**

16. (1) An act necessary to the proper execution of his duty in the ground by an officer of the Council, or any act which is necessary to the proper execution of any contract with the Council, shall not be an offence under these byelaws.

(2) Nothing in or done under any of the provisions of 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 legally by virtue of some estate, right or interest in, over or affecting the ground or any part thereof.

**Removal Of Offenders**

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

**Penalty**

18. Any person offending against any of these byelaws shall be liable on summary conviction to a fine not exceeding level 2 of the standard scale.

**Revocation**

19. The byelaws made by the Council on the Eighth day of October One thousand nine hundred and sixty-three and confirmed by the Secretary of State on the Twenty third day of December One thousand nine hundred and sixty three relating to the ground referred to in the first part of the Schedule hereto are hereby revoked

## **SCHEDULE**

I. The area of land containing approximately eight acres which lies in the Parish of Ruskington to the north of Parkfield Road and to the east of Northfield Road and is known as the Parkfield Road Playing Field, together with the area of land which lies to the north of the Playing Field and contains approximately six and three quarters acres and comprises field 5056 on the OS Map 0851

II. The area of land containing approximately five and three-quarters acres which lies in the Parish of Ruskington to the north of Manor Street and to the east of Lincoln Road and is known as Horseshoe Hollow and comprises field 303 and part of 304 on the OS Map 1905 Edition.