

**URSWICK, BARDSEA AND STANTON PARISH
COUNCIL**

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

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Byelaws made under section 164 of the Public Health Act 1875/section 15 of the Open Spaces Act 1906/sections 12 and 15 of the Open Spaces Act 1906 by Urswick, Bardsea and Stainton Parish Council with respect to Urswick Tarn and verges known as the Croft, the Hagg and the Landing.

PART 1

GENERAL

General Interpretation

1. In these byelaws:

“the Council” means Urswick, Bardsea and Stainton Parish Council;

“the ground” means Urswick Tarn and verges known as the Croft, the Hagg and the Landing;

“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 Urswick Tarn and verges known as the Croft, the Hagg and the Landing, as set out in the map 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.

Fires

- 8. (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 8(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.

Missiles

- 9. 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

- 10. 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

11. In this Part:

“motor vehicle” means any mechanically-propelled vehicle other than a motor cycle or an invalid carriage;

“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.

Horses

12. (1) No person shall ride a horse except in the exercise of a lawful right or privilege.
- (2) Where horse-riding is permitted by virtue of a lawful right or privilege, no person shall ride a horse in such a manner as to cause danger to any other person.

Cycling

13. 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.

Overnight parking

14. 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

Archery

15. 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

16. 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

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

PART 5

WATERWAYS

Interpretation of Part 5

18. In this Part:

“boat” means any yacht, motor boat or similar craft but not a model or toy boat;

“waterway” means any river, lake, pool or other body of water and includes any fountain.

Ice skating

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

Boats

20. (1) No person shall on any waterway sail or operate any boat which is not registered with the Council.
- (2) A boat is registered for the purposes of byelaw 20(1) when the owner has made a written application to the Council and the Council has:
- (a) entered the name and address of the owner, a general description of the boat and the serial number of the registration in a register kept by an authorised officer of the Council; and
 - (b) issued to the owner a certificate of registration incorporating these particulars.

Blocking of watercourses

21. No person shall cause or permit the flow of any drain or watercourse in the ground to be obstructed, diverted, open or shut or otherwise move or operate any sluice or similar apparatus.

PART 6

OTHER REGULATED ACTIVITIES

Provision of services

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

Excessive noise

23. (1) No person shall, after being requested to desist by any other person in the ground, make or permit to be made any noise which is so loud or so continuous or repeated as to give reasonable cause for annoyance to other persons in the ground by:
- (a) shouting or singing;
 - (b) playing on a musical instrument; or
 - (c) by operating or permitting to be operated any radio, amplifier, tape recorder or similar device.
- (2) Byelaw 23(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

24. 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

25. 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.

Metal detectors

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

PART 7

MISCELLANEOUS

Obstruction

27. No person shall obstruct:
- (a) any officer of the Council in the proper execution of his duties;
 - (b) any person carrying out an act which is necessary to the proper execution of any contract with the Council; or
 - (c) any other person in the proper use of the ground.

Savings

28. (1) It shall not be an offence under these byelaws for an officer of the Council or any person acting in accordance with a contract with the Council to do anything necessary to the proper execution of his duty.
- (2) Nothing in or done under these byelaws shall in any respect prejudice or injuriously affect any public right of way through the ground, or the rights of any person acting lawfully by virtue of some estate, right or interest in, over or affecting the ground or any part of the ground.

Removal of offenders

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

Penalty

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

Revocation

31. The byelaws made by Urswick Parish Council on 21st January 2010 and confirmed by the Department for Communities and Local Government on 11th February 2011 relating to the ground are hereby revoked.

SCHEDULE

MAP OF GROUNDS TO WHICH BYELAWS APPLY

The grounds referred to in byelaw 2 are set out in the map below.

Key to map:

Boundary to Urswick Tarn and verges outlined in bold.

1. The Croft
2. The Hagg
3. The Landing



Given under our hands and seals this

22nd

day of

February 2016

Signed



Seal



Signed



Seal



Members of Urswick, Bardsea and Stainton Parish Council

The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into operation one calendar month after the date of confirmation.

Signed by authority of the Secretary of State



Paul Rowsell

A senior civil servant in the Department for Communities and Local Government

Date: 4 July 2016