

Warley Woods Community Trust Limited

Section 15(3) Open Spaces Act 1906

Section 4 Town Gardens Protection Act 1863

BYELAWS FOR WARLEY WOODS AND PARK

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Byelaws made under section 15(3) of the Open Spaces Act 1906 and section 4 of the Town Gardens Protection Act 1863 by Warley Woods Community Trust Limited with respect to Warley Woods and Park, Smethwick.

PART 1 GENERAL

General Interpretation

1. In these byelaws:

“the Trust” means Warley Woods Community Trust Limited;

“the ground” means Warley Woods and Park, Smethwick;

“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 Warley Woods and Park, Smethwick.

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 Trust 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 Trust 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 Trust 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 Trust 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 Trust 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.

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 Trust.

PART 3

HORSES AND VEHICLES

Interpretation of Part 3

13. In this Part:

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

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

“trailer” means a vehicle drawn by a motor vehicle and includes a caravan.

Horses

14. No person shall ride a horse in the ground in such a manner as to cause danger to any other person.

Motor vehicles

15. (1) 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 designated route for that class of vehicle.
- (2) Where there is a designated route for motor cycles, motor vehicles or trailers, it shall not be an offence under this byelaw to bring into or drive in the ground a vehicle of that class for the sole purpose of transporting it to the route.

Overnight parking

16. No person shall without the consent of the Trust 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:

“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

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.

Cricket

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

Archery

22. No person shall engage in the sport of archery except in connection with an event organised by or held with the consent of the Trust.

Field sports

23. 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 Trust.

Golf

24. No person shall drive, chip or pitch a hard golf ball except on the golf course.

25. (1) No person shall play golf on the golf course unless he holds a valid ticket issued by or on behalf of the Trust entitling him to

do so, which ticket shall be retained and shown on demand to any authorised officer or agent of the Trust.

- (2) No person shall enter on to or remain on the golf course unless:
 - (a) taking part in the game of golf or accompanying a person so engaged; or
 - (b) doing so in the exercise of a lawful right or privilege.
- (3) No person shall offer his service for hire as an instructor on the golf course without the consent of the Trust.

PART 5

WATERWAYS

Interpretation of Part 5

26. In this Part:

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

Pollution

27. No person shall foul or pollute any waterway.

Blocking of watercourses

28. 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

MODEL AIRCRAFT

Interpretation of Part 6

29. 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

- 30. 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 in the ground; or
 - (b) land in the ground without reasonable excuse.

PART 7

OTHER REGULATED ACTIVITIES

Provision of services

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

Excessive noise

- 32. (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 32(1) does not apply to any person holding or taking part in any entertainment held with the consent of the Trust.

Public shows and performances

- 33. No person shall without the consent of the Trust hold or take part in any public show or performance.

Aircraft, hang gliders and hot air balloons

- 34. No person shall except in case of emergency or with the consent of the Trust take off from or land in the ground in an aircraft, helicopter, hang glider or hot air balloon.

Kites

- 35. 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

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

PART 8

MISCELLANEOUS

Obstruction

37. No person shall obstruct:
- (a) any officer of the Trust 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 Trust; or
 - (c) any other person in the proper use of the ground.

Removal of offenders

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

Penalty

39. Any person offending against any of these byelaws shall be liable on summary conviction to a fine not exceeding level 1 on the standard scale.

THE COMMON SEAL OF WARLEY)
WOODS COMMUNITY TRUST LIMITED)
was hereunto affixed this 17th day of)
September 2009)

In the presence of

S. Eling
Trustee

E. Haydon
Trustee