



# LEEDS

## CITY COUNCIL

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

## **Leeds City Council**

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

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Byelaws made by the Leeds City Council under Section 164 of the Public Health Act 1875, and Sections 12 and 15 of the Open Spaces Act 1906 with respect to pleasure grounds, public walks and open spaces.

## **PART 1**

### **GENERAL**

#### **General Interpretation**

1. In these byelaws:

"the Council" means Leeds 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 areas 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.

### **Gates**

9. (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 9(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**

10. 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**

11. (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 11(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 barbecue, in a designated area for barbecues.

### **Missiles**

12. 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**

13. 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**

14. 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 invalid carriage;

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

#### **Horses**

15. (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 15(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**

16. 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.

#### **Overnight parking**

17. No person shall without the consent of the Council leave or cause or permit to be left any motor vehicle in the grounds listed in Part 2 of Schedule 2 between the hours of 10.00 pm and 6.00 am.

## **PART 4**

### **PLAY AREA, GAMES AND SPORTS**

#### **Interpretation of Part 4**

18. 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 the grounds listed in Part 3 of Schedule 2 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**

19. No person aged 14 years or over shall enter or remain in a children's play area listed in Part 5 of Schedule 2 unless in charge of a child under the age of 14 years.

#### **Children's play apparatus**

20. 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.**

21 (1) No person shall skate, slide or ride on rollers, skateboards, or other self-propelled vehicles except in the grounds listed in Part 6 of Schedule 2.

(2) Where skating, sliding or riding on rollers, skateboards or other self-propelled vehicles is permitted, 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**

22. 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.
23. 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**

24. No person shall throw or strike a cricket ball with a bat except in the grounds listed in Part 9 of Schedule 2.

### **Archery**

25. 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**

26. 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 or on land set aside by the Council for that purpose.

### **Golf**

27. No person shall drive, chip or pitch a hard golf ball except on the golf courses listed in Part 3 of Schedule 2.
28. (1) No person shall play golf on the golf course unless he holds a valid ticket issued by or on behalf of the Council entitling him to do so, which ticket shall be retained and shown on demand to any authorised officer or agent of the Council.
- (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 Council.

## **PART 5**

### **WATERWAYS**

#### **Interpretation of Part 5**

29 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**

30. No person shall without reasonable excuse bathe or swim in any waterway.

#### **Ice skating**

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

#### **Model boats**

32. No person shall operate a power-driven model boat on any waterway except in the grounds listed in Part 8 of Schedule 2.

#### **Boats**

33. No person shall sail or operate any boat, dinghy, canoe, sailboard, or inflatable on any waterway without the consent of the Council.

#### **Fishing**

34. No person shall in any waterway cast a net or line for the purpose of catching fish or other animals except in the grounds listed in Part 7 of Schedule 2.

#### **Pollution**

35. No person shall foul or pollute any waterway.

## **Blocking of watercourses**

36. 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**

37. 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.

#### **Model aircraft permitted in designated areas**

38. 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 the grounds listed in Part 4 of Schedule 2.

## **PART 7**

### **OTHER REGULATED ACTIVITIES**

#### **Provision of Services**

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

#### **Excessive noise**

40. (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 40(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**

41. 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**

42. No person shall except in the 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**

43. 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**

44. 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 8**

### **MISCELLANEOUS**

#### **Obstruction**

45. 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**

46. (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**

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

#### **Penalty**

48. 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**

49. The byelaws made by Leeds City Council on 1st March 2006 and confirmed by the Secretary of State for the Department of Communities and Local Government on 31st July 2006 relating to the ground are hereby revoked.

# **SCHEDULES**

**SCHEDULE 1**  
List of Grounds

**PART 1 OF SCHEDULE 2**  
List of secure grounds with opening and closing times

**PART 2 OF SCHEDULE 2**  
Grounds with parking facilities

**PART 3 OF SCHEDULE 2**  
Golf courses

**PART 4 OF SCHEDULE 2**  
Grounds where flying of model aircraft is permitted

**PART 5 OF SCHEDULE 2**  
List of Children's Play Areas

**PART 6 OF SCHEDULE 2**  
Grounds set aside for the purpose of Skateboarding, etc.

**PART 7 OF SCHEDULE 2**  
Grounds where fishing is permitted

**PART 8 OF SCHEDULE 2**  
Grounds where the sailing of model boats is permitted

**PART 9 OF SCHEDULE 2**  
Grounds where the playing of cricket is permitted

**SCHEDULE 3**  
Rules for playing ball games in Designated Areas

THE COMMON SEAL of  
LEEDS CITY COUNCIL  
was hereunto affixed  
on the    day of            2008

Assistant Chief Executive (Corporate Governance)