



# PLEASURE GROUNDS, PUBLIC WALKS AND OPEN SPACES

## Byelaws made by the Reigate and Banstead Borough Council under Section 164 of the Public Health Act 1875, Sections 12 and 15 of the Open Spaces Act 1906 with respect to pleasure grounds, public walks and open spaces referred to in Schedule A to the byelaws

### Interpretation

- In these byelaws:
  - “**the Council**” means the Reigate and Banstead Borough Council;
  - “**the ground**” means any of the grounds listed in Schedule A to the byelaws.

### Opening Times

- 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. This byelaw applies to any of the grounds listed in Schedule B to these byelaws.

### Vehicles

- (1) (i) No person shall, without reasonable excuse, ride or drive a motor cycle, motor vehicle or any other mechanically propelled vehicle (other than a cycle) 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.
  - (ii) No person shall, without reasonable excuse, ride a cycle, except in any part of the ground where there is a right of way for cycles, or along such routes as may be fixed by the Council and indicated by signs placed in conspicuous positions in the ground.
- If the Council has 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.
- This byelaw shall not extend to invalid carriages.
- In these byelaws:
  - “**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, whether or not intended or adapted for use on roads, 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, whether or not intended or adapted for use on roads, not being an invalid carriage;
  - “**trailer**” means a vehicle drawn by a motor vehicle, and includes a caravan.

### Overnight Parking

- No person shall, without the consent of the Council, leave or cause or permit to be left any vehicle in the ground between the hours of 12 midnight and 6 a.m.

### Horses

- No person shall in the ground intentionally or negligently ride a horse to the danger of any other person using the ground.

### Climbing

- 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

- 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

- 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.

### Camping

- No person shall in the ground, without the consent of the Council, erect a tent or use any vehicle, including a caravan, or any other structure for the purpose of camping, except in any area which may be set apart and indicated by notice as a place where camping is permitted.

### Fires

- (1) No person shall in the ground intentionally light a fire, or place, throw or let fall a lighted match or any other thing so as to be likely to cause a fire.
- This byelaw shall not apply to any event held with the consent of the Council.

### Children's Play Areas

- (1) No person who has attained the age of 14 years shall enter or remain in the children's play area in any of the grounds listed in Schedule C to these byelaws.
- This byelaw shall not apply to any person who is bona fide in charge of a child under the age of 14 years.

### Children's Play Apparatus

- No person who has attained the age of 14 years shall use any apparatus in the ground which, by a notice placed on or near thereto, has been set apart by the Council for the exclusive use of persons under the age of 14 years.

### Games

- No person shall in the ground play any game:
  - (a) so as to give reasonable grounds for annoyance to any other person in the ground; or
  - (b) which is likely to cause damage to any tree, shrub or plant in the ground.

### Trading

- 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, or provide or offer to provide any service for which a charge is made.

### Grazing

- 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.

- 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, prohibits its being wheeled or parked.

- No person shall in the ground enter 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 set aside for the renovation of grass or turf, where adequate notice to keep off such grass or turf is exhibited.

### Removal of Substances

- No person shall remove from or displace in the ground any stone, soil or turf, or the whole or any part of any plant, shrub or tree.

### Archery

- No person shall in the ground, except in connection with an event organised by or held with the consent of the Council, engage in the sport of archery.

### Field Sports

- No person shall in the ground, throw or put any javelin, discus or shot, except on land set aside by the Council for this purpose.

### Golf

- No person shall in the ground drive, chip or pitch a hand golf ball except on land set aside by the Council for use as a golf course, golf driving range, golf practice area or putting course.
- No person resorting to the golf course referred to in the preceding byelaw for the purpose of playing or taking part in the game shall:
  - (a) play or take part in that game when a notice is set up in some conspicuous position prohibiting play on the golf course or any part thereof;
  - (b) commence to play, unless he is the holder of a season or periodical ticket, until he has obtained from the golf professional/gentil/officer of the Council in charge of the golf course a ticket entitling him to play, which ticket shall be retained and shown on demand to any authorised officer of the Council;
  - (c) having completed a round, or desisted from playing before completing a round, commence to play again until he has complied with paragraph (b) of this byelaw.
- No person resorting to the golf course referred to in the preceding byelaw shall on the golf course offer his service for hire as an instructor without the consent of the Council.
- No person other than a person taking part in the game of golf or a person accompanying such a person shall, except in the exercise of lawful right or privilege, walk or run across or over or traverse the golf course.
- No person shall on the golf course play or take part in any game other than the game of golf.

### Cricket

- No person shall use any cricket ball, except in the part of the ground which, by a notice placed in a conspicuous position in the ground, has been set aside as an area where a cricket ball may be used.

### Skateboarding and Roller Skating

- No person shall in the ground skate, slide or ride on rollers, skateboards, wheels, mechanical contrivances or other equipment, except on any part of the ground which has been set apart by the Council for that purpose and indicated by a notice conspicuously displayed.

### Missiles

- No person shall in the ground, to the danger or annoyance of any other person in the ground, throw or discharge any missile.

### Waterways

- No person shall:
  - (a) without reasonable excuse, bathe or swim in any waterway comprised in the ground except in an area where a notice exhibited by the Council permits bathing and swimming;
  - (b) intentionally, carelessly or negligently foul or pollute any waterway comprised in the ground;
  - (c) knowingly cause or permit the flow of any drain or watercourse in the ground to be obstructed or diverted, or open, shut or otherwise work or operate any sluice or similar apparatus in the ground.
- This byelaw applies to any of the grounds listed in Schedule D to these byelaws.

### Ice Skating

- No person shall in the ground go or remain upon any ice or frozen body of water. This byelaw applies to any of the grounds listed in Schedule D to these byelaws.

### Boats

- No person shall, without the consent of the Council, launch, operate or sail on any waterway comprised in the ground any boat, power craft, dinghy, canoe, sailboard, inflatable or any like craft. This byelaw applies to any of the grounds listed in Schedule D to these byelaws.

### Interference with Life Saving Equipment

- No person shall, except in case of emergency, remove from or displace in the ground or otherwise tamper with any life saving appliance provided by the Council. This byelaw applies to any of the grounds listed in Schedule D to these byelaws.

### Aircraft

- 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.

### Fishing and Protection of Wildlife

- (1) No person shall in the ground intentionally kill, injure, take or disturb any animal or fish or engage in hunting, shooting or fishing, or the setting of traps or nets or the laying of snares.
- This byelaw shall not prohibit any fishing which may be authorised by the Council.

### Noise

- (1) No person shall in the ground, after being requested to desist by an officer of the Council, or by any person annoyed or disturbed, or by any person acting on his behalf:
  - (a) by shouting or singing;
  - (b) by playing on a musical instrument; or
  - (c) by operating or permitting to be operated any radio, gramophone, amplifier, tape recorder or similar instrument
 cause 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.
- (2) This byelaw shall not apply to any person holding or taking part in any entertainment held with the consent of the Council.

### Public Shows and Performances

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

### Exhibitions and Structures

- No person shall in the ground, without the consent of the Council, place or take part in any exhibition, or set up any swing, roundabout or other like thing.

### Gates

- Where the Council indicates by a notice conspicuously exhibited on or alongside any gate in the ground that leaving that gate open is prohibited, no person having opened that gate or caused it to be opened, shall leave it open.

### Obstruction

- 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

- (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

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

### Penalty

- 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

- The byelaws made by Reigate Borough Council and confirmed by the Secretary of State in 1955 relating to Redhill and Earlswood Commons are hereby revoked.

**THE COMMON SEAL OF THE COUNCIL OF THE BOROUGH OF REIGATE & BANSTEAD**  
 ) LS  
 was herewith affixed this 30th day of March 2001 )  
 in the presence of:- ) 63/01

P J NORTH

Authorised Signatory

**SCHEDULE A :** The grounds referred to in byelaw 1 are as follows:  
 Redhill & Earlswood Commons, Redhill Merland Rise Recreation Grd., Tadworth Kingswood Recreation Grd., Kingswood Redhill Memorial Park, Redhill Lady Neville Recreation Grd., Banstead Riverside Garden Park, Horley Lonsome Lane Recreation Grd., Reigate Tattenham Way Recreation Grd

**SCHEDULE B :** The grounds referred to in byelaw 2 are as follows:  
 Redhill Memorial Park, Redhill

**SCHEDULE C :** The grounds referred to in byelaw 11 are as follows:  
 Redhill & Earlswood Commons, Redhill Merland Rise Rec. Grd., Tadworth Estate Kingswood Recreation Ground Redhill Memorial Park, Redhill Lady Neville Recreation Grd., Banstead Riverside Garden Park, Horley Lonsome Lane Recreation Grd., Reigate Yattendon Road Recreation Grd., Horley

**SCHEDULE D :** The grounds referred to in byelaws 29, 30, 31 & 32 are as follows:  
 Redhill & Earlswood Commons, Redhill Riverside Garden Park, Horley Lady Neville Recreation Grd., Banstead

**THE COMMON SEAL OF THE COUNCIL OF THE BOROUGH OF REIGATE AND BANSTEAD**  
 ) LS  
 was herewith affixed this 30th day of March 2001 )  
 in the presence of:- ) 63/01

P J NORTH

Authorised Signatory

The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into operation on the twenty-first day of September 2001  
 Signed by authority of the Secretary of State

T. K. COBLEY

Head Of Unit, Constitutional and Community Policy Directorate

22 August 2001