

BRISTOL CITY COUNCIL

BYELAWS FOR PLEASURE GROUNDS, PUBLIC WALKS AND OPEN SPACES

ARRANGEMENT OF BYELAWS

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Byelaws made under section 164 of the Public Health Act 1875, section 15 of the Open Spaces Act 1906 and sections 12 and 15 of the Open Spaces Act 1906 by the Bristol City Council with respect to the pleasure grounds, public walks and open spaces specified in Schedule 1.

**PART 1
GENERAL**

General Interpretation

1. In these byelaws:

“the Council” means the City Council of Bristol

“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 grounds listed in Schedule 1 unless otherwise stated.

Opening times

3. No person shall enter or remain in the ground except during opening hours.

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.

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 save where written permission has been granted by the Council to enable the undertaking of pest control and deer culling

Camping

8. 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

9. (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 9(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 camping stove, in a designated area for camping, or of a properly constructed barbecue, in a designated area for barbecues.

Missiles

10. 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

11. 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

12. 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 an invalid carriage;

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

Horses

13. (1) No person shall ride a horse in any of the grounds specified in Schedule 2 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 13(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

14. No person shall ride a cycle in the ground in such a manner as to cause danger or reasonable fear of injury 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 right of way or 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 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

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.

Archery

18. 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

19. 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

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

PART 5

WATERWAYS

Interpretation of Part 5

21. In this Part:

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

Fishing

22. No person shall in any waterway cast a net or line for the purpose of catching fish or other animals except in a designated area for fishing.

Blocking of watercourses

23. 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

24. 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.

General prohibition

25. 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 a designated area for flying model aircraft.

PART 7

OTHER REGULATED ACTIVITIES

Provision of services

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

Excessive noise

27. (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 27(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

28. 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

29. 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.

PART 8

MISCELLANEOUS

Obstruction

30. 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

31. (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

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

Penalty

33. 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

34. The following byelaws are hereby revoked:

(a) BY-LAWS made by THE LORD MAYOR, ALDERMEN and BURGESSES of the CITY of BRISTOL acting by the Council as the Urban Sanitary Authority for the District and City and County of Bristol for the Regulation of the Public Pleasure Grounds known as **Bedminster Park, Cotham Gardens, St Agnes' Gardens, Hunt's Pleasure Ground, Mina Road St Matthias' Pleasure Ground** made on the 1st day of June 1886 and allowed by the Local Government Board on the 27th July 1886 as amended by BY-LAWS made by the CITY of BRISTOL, with respect to the Pleasure Grounds known as **Mina Road Park, St Pauls and Victoria Park, Windmill Hill** made on the 18th day of July 1984 and 26th September 1985 and confirmed by the Secretary of State on the 22nd day of January 1986

(b) BY-LAWS made by THE LORD MAYOR, ALDERMEN and BURGESSES of the CITY of BRISTOL acting by the Council as the Urban Sanitary Authority for the District and City and County of Bristol with respect to pleasure grounds situate at **Eastville Park** in the Parish of Stapleton in the County of Gloucester; at **Windmill Hill** in the Parish of Bedminster in the City of Bristol; at **Montpelier** in the district of the United Parishes of St James and St Paul in the City of Bristol; and the pleasure ground known as "**Gaunt's Ham**" in the City of Bristol made on the 13th day of October 1891 and allowed by the Local Government Board on the 15th day of February 1892 as amended by BY-LAWS made by the CITY of BRISTOL, with respect to the Pleasure Grounds known as **Mina Road Park, St Pauls and Victoria Park, Windmill Hill** made on the 18th day of July 1984 and confirmed by the Secretary of State on the 22nd day of January 1986

(c) BY-LAWS made by THE LORD MAYOR, ALDERMEN and BURGESSES of the CITY of BRISTOL, with respect to the Pleasure Grounds known as **College Green, Fishponds Park, Hay Market, Redland Green and St George's Park**, situate in the City and County of Bristol, made on the 3rd day of February 1905 and allowed by the Local Government Board on the 21st March 1905 as amended by BYELAW made by the CITY of BRISTOL made on the 9th day of February 1983 and confirmed by the Secretary of State on the 27th day of April 1983

(d) BY-LAWS made by THE LORD MAYOR, ALDERMEN and BURGESSES of the CITY of BRISTOL, with respect to the Common known as **Penpole Common** in the City and County of Bristol, in pursuance of a Scheme for the regulation and management of the Common made on the 12th day of June 1906 and allowed by the Local Government Board on the 2nd day of August 1906 and the Board of Agriculture and Fisheries on the 3rd day of March 1906.

(e) BY-LAWS made by THE LORD MAYOR, ALDERMEN and BURGESSES of the the CITY of BRISTOL acting by the Council as the Urban Sanitary Authority for the District and City and County of Bristol for the Regulation of the Public Pleasure Grounds known as **Horfield Common, Evans Park, Canford Park, Avonmouth Pleasure Ground**, and Open Spaces known as **Bedminster Down Common and Novers Common** and Victory Park (Brislington) made on the 11th day of October 1910 and allowed by the Local Government Board on the 16th day of December 1910

(f) BY-LAWS made by the CITY of BRISTOL, with respect to the Pleasure Grounds known as **Dame Emily Play Park, Bedminster; St Andrews Play Park, Montpelier** and **West Malls Gardens, Clifton** made on the 18th day of July 1984 and confirmed by the Secretary of State on the 14th day of November 1984

SCHEDULE 1

FOUNDATIONS TO WHICH BYELAWS APPLY

Please refer to consultation document Schedule 1

SCHEDULE 2

Please refer to consultation document Schedule 2