

## HENHAM PARISH COUNCIL

### BYELAWS FOR THE RECREATION GROUND KNOWN AS HENHAM GREENS

Byelaws made under section 164 of the Public Health Act 1875/sections 12 and 15 of the Open Spaces Act 1906 by Henham Parish Council with respect to the Recreation Ground known as Henham Greens.

#### PART 1 GENERAL

##### 1. General Interpretation

In these byelaws:

**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.

**Council:** means the Parish Council of Henham.

**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.

**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.

**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.

**ground:** means the Recreation Ground known as Henham Greens comprising of the grounds as shown in Schedule 1.

**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.

**model aircraft:** means an unmanned 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.

**motorcycle:** 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. A motor vehicle includes electrically driven scooters and skateboards and any other similar equipment.

**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.

**trailer:** means a vehicle drawn by a motor vehicle and includes a caravan.

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

## **2. Application**

These byelaws apply to the Recreation Ground known as Henham Greens comprising of all the grounds listed in Schedule 1.

**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.
- (3) No person shall affix any sign, bill, placard or notice to or upon any tree, to or upon any building, seat or other erection on the ground without the consent of the Council.

**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 they are 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 that person 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 Council erect a tent or use a vehicle, caravan, or any other structure for the purpose of camping except in a designated area for camping.

### **Fires**

- 10.
- (1) No person shall:
    - (a) light a fire; or
    - (b) place, throw or drop a lighted match or any other thing likely to cause a fire; or
    - (c) release a lighted sky lantern (any unmanned device which relies on an open flame or other heat source to heat air within it with the intention of causing it to lift into the atmosphere).
  - (2) Byelaw 10(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**

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 Council.

**PART 3**  
**HORSES, CYCLES AND VEHICLES**

**Horses**

**13.**

- (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 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 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.

**Motor vehicles**

**15.**

- (1) No person shall without reasonable excuse bring into or drive in the ground a motorcycle, 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 motorcycles, 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.

**Parking**

**16.**

- (1) 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.
- (2) No person shall without consent of the Council leave or cause or permit to be left any motor vehicle on the Village Greens, in the ground.

**Car Park**

- 17.** All persons shall adhere to any and all rules and regulations specifically made and provided to the public in respect of Cemetery Car Park.

**PART 4**  
**PLAY AREAS, GAMES AND SPORTS**

**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.
- (1) No person shall skate, slide or ride on rollers, skateboards, or other self-propelled vehicles except in a designated area for such activities.
  - (2) Where there is a designated area for skating, sliding, or riding on rollers, skateboards or other self-propelled vehicles, 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**

21. 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.
22. 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 2 and conspicuously displayed on a sign in the designated area when asked by any person to desist from breaking those rules.

**Cricket**

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



### **Archery**

24. 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**

25. 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**

26. No person shall drive, chip, or pitch a hard golf ball except where there is a designated area for playing golf.

**PART 5  
WATERWAYS**

**Blocking of watercourses**

**27.**

- (1) 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.
- (2) No person shall foul or pollute any waterway.

**PART 6**  
**MODEL AIRCRAFT**

**General prohibition**

- 28.** 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.
- 29.** 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**

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

**Excessive noise**

31. (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) operating or permitting to be operated any radio, amplifier, tape recorder or similar device.
- (2) Byelaw 31(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**

32. 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**

33. 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.

**Kites**

34. 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**

35. 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.

**Dogs**

**36.**

- (1) No person shall permit a dog to cause a nuisance to any person on the ground.
- (2) Any person walking a dog on the ground shall be responsible for clearing any dog mess and depositing it, in a suitable plastic bag, within the receptacle provided on the edge of the ground.

**PART 8  
MISCELLANEOUS**

**Obstruction**

37. 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**

38. (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**

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

**Penalty**

40. 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. The scale can be seen here [9. Maximum fines – Sentencing \(sentencingcouncil.org.uk\)](https://www.sentencingcouncil.org.uk).

**Revocation**

41. The byelaws made by the Parish Council of Henham on 24 July 1929 relating to the ground are hereby revoked.

**SCHEDULE 1**  
**GROUNDS TO WHICH BYELAWS APPLY GENERALLY**

The grounds comprising Henham Greens referred to in byelaw 2 are shown outlined red on the title plan annexed to this Schedule 1 and includes the following:

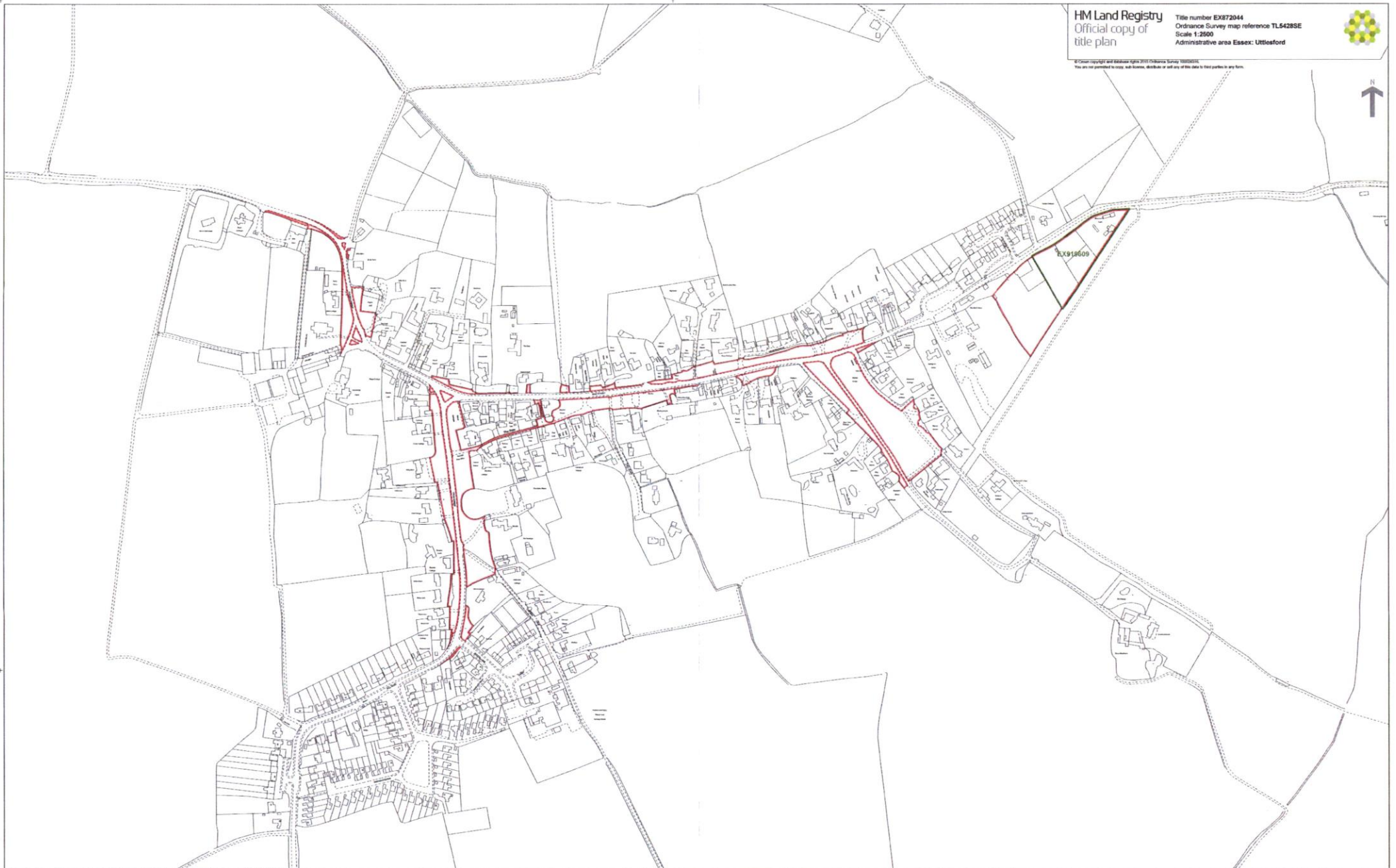
- Wood End
- Chickney Road
- Starr Road
- Church End
- Crow Street
- Cemetery Car Park
- High Street

HM Land Registry  
Official copy of  
title plan

Title number EX872044  
Ordnance Survey map reference TL6428SE  
Scale 1:2500  
Administrative area Essex: Uttlesford



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This official copy issued on 4 April 2022 shows the state of this title plan on 3 April 2022 at 20:32:22.  
It is admissible in evidence to the same extent as the original (s.57 Land Registration Act 2002).  
This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.  
This title is dealt with by HM Land Registry, Durham Office.



**SCHEDULE 2**  
**RULES FOR PLAYING BALL GAMES IN DESIGNATED AREAS (BYELAW 22)**

Any person using a designated area for playing ball games is required by byelaw 22 to comply with the following rules:

- (1) No person shall play any game other than those ball games for which the designated area has been set aside.
- (2) No person shall obstruct any other person who is playing in accordance with these rules.
- (3) Where exclusive use of the designated area has been granted to a person or group of persons by the Council for a specified period, no other person shall play in that area during that period.
- (4) Subject to paragraph (5), where the designated area is already in use by any person, any other person wishing to play in that area must seek their permission to do so.
- (5) Except where they have been granted exclusive use of the designated area for more than two hours by the Council, any person using that area shall vacate it if they have played continuously for two hours or more and any other person wishes to use that area.
- (6) No person shall play in the designated area when a notice has been placed in a conspicuous position by the Council prohibiting play in that area.