

BYE LAWS

Surrey Heath Borough Council
Surrey Heath House
Knoll Road
Camberley
Surrey GU15 3HD



Byelaws made by the Council of the Borough of Surrey Heath 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 with respect to the pleasure grounds listed in the attached schedule.

1. In these byelaws:

"the Council" means the Surrey Heath Borough Council;

"the pleasure ground" means the pleasure grounds listed in the attached schedule.

2. An act necessary to the proper execution of his duty in the pleasure 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.

3. Frimley Green Recreation Ground, Frimley Lodge Park, London Road Recreation Ground, Mytchett Recreation Ground and Watchetts Recreation Ground shall each be opened at the hour of 7.30 in the forenoon on weekdays and at 8.00 in the forenoon on Sundays and shall each be closed 30 minutes after sunset.

Provided always that this byelaw shall not be deemed to require those pleasure grounds to be opened and closed as here in before prescribed on any day when, in pursuance of any statutory provision in that behalf, the council close the pleasure ground to the public.

4. On any day on which those pleasure grounds mentioned in the foregoing byelaw are open to the public a person shall not enter any of such pleasure grounds before the times appointed, or enter or remain therein after the time appointed.

5. A person shall not in the pleasure ground without reasonable excuse:

(i) climb any wall or fence in or enclosing the pleasure ground, or any tree, or any barrier, railing, post, or other erection;

(ii) remove or displace any barrier, railing, post or seat, or any part of any erection or ornament, or any implement provided for use in the laying out or maintenance of the pleasure ground.

6. A person shall not, except in pursuance of a lawful agreement with the Council or otherwise in the exercise of any lawful right or privilege, bring or cause to be brought into the pleasure ground any cattle, sheep, goats, or pigs or any beast of draught or burden.

7. (i) A person shall not, except in the exercise of any lawful right or privilege bring or cause to be brought into the pleasure ground any barrow, truck, machine or vehicle other than -

(a) A wheeled bicycle or other similar machine;

(b) A wheel-chair or perambulator drawn or propelled by hand and used solely for the conveyance of a child or children or an invalid;

(c) A mechanically propelled wheel-chair used solely for the conveyance of an invalid.

Provided that where the Council set apart a space in the pleasure ground for the use of any class of vehicle, this byelaw shall not be deemed to prohibit the driving in or to that space by a direct route from the entrance to the pleasure ground of any vehicle of the class for which it is set apart.

(ii) A person shall not except in the exercise of any lawful right or privilege ride any bicycle or other similar machine in any part of the pleasure ground.

(iii) A person shall not in the pleasure ground ride or drive any vehicle at such a speed and in such a manner as to cause danger to the persons in the pleasure ground or without reasonable consideration for such persons.

8. A person who brings a vehicle into the pleasure ground shall not wheel or station it over or upon:

(i) Any flower bed, shrub, or plant, or any ground in course of preparation as a flower bed, or for the growth of any tree, shrub, or plant;

(ii) any part of the pleasure ground where the council by a noticeboard affixed or set up in some conspicuous position in the pleasure ground prohibit its being wheeled or stationed.

9. A person shall not in the pleasure ground walk, run, stand, sit or lie upon

(i) Any grass, turf or other place where adequate notice to keep off such grass, turf or other place is exhibited;

Provided that such notice shall not apply to more than one-fifth of the area of the pleasure ground;

(ii) Any flower bed, shrub or plant, or any ground in course of preparation as a flower bed, or for the growth of any tree, shrub or plant.

10. A person shall not in the pleasure ground:

(i) Bathe, wade or wash in any ornamental lake, pond, stream, or other water;

(ii) Without reasonable excuse foul or pollute any such water;

11. A person shall not without lawful excuse or authority in the pleasure ground, kill, molest, or intentionally 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;

12. A person shall not launch any craft, boat or floating apparatus of any description on any such water provided that where the council set aside, by a notice conspicuously exhibited, any area permitting the operation of model and toy boats, it shall not be deemed an offence to launch a model or toy boat. This byelaw shall apply only to Alphington Pond, Tomlins Pond, Watchetts Lakes and Frimley Lodge Park.

13. Where the council set apart any such part of the pleasure ground as may be fixed by the council, and described in a noticeboard affixed or set up in some conspicuous position in the pleasure ground, for the purpose of any game specified in the notice board, which, by reason of the rules or manner of playing, or for the prevention of damage, danger, or discomfort to any person in the pleasure ground may necessitate, at any time during the continuance of

The game, the exclusive use by the player or players of any space in such part of the pleasure ground- a person shall not in any space elsewhere in the pleasure ground play or take part in any game so specified in such a manner as to exclude persons not playing or taking part in the game from the use of such a space.

14. A person resorting to the pleasure ground and playing or taking part in any game for which the exclusive use of any space in the pleasure ground has been set apart shall:

(i) Not play on the space any game other than the game for which it is set apart;

(ii) In preparing for playing and in playing, use reasonable care to prevent undue interference with the proper use of the pleasure ground by other persons;

(iii) When the space is already occupied by other players not begin to play thereon without their permission;

(iv) Where the exclusive use of the space has been granted by the council for the playing of a match, not play on that space later than a quarter of an hour before the time fixed for the beginning of the match unless

15. A person shall not in any part of the pleasure ground which may have been set apart by the council for any game play or take part in any game when the state of the ground or other cause makes it unfit for use and a notice is set up in some conspicuous position prohibiting play in that part of the pleasure ground.

16. A person shall not in the pleasure ground drive, pitch or chip a hard golf ball, except on land set aside by the Council for this purpose.

17. A person shall not in the pleasure ground;

(i) Except as hereinafter provided erect any post, rail, fence, pole, tent, booth, stand, building or other structure:

Provided that this prohibition shall not apply where upon an application to the Council they grant permission to erect any post, rail, fence, pole, tent, booth, stand, building or other structure, upon such occasion and for such purpose as are specified in the application;

(ii) Sell, or offer or expose for sale, or let to hire, or offer or expose for letting to hire, any commodity or article, unless, in pursuance of an agreement with the Council, or otherwise in the exercise of any lawful right or privilege he is authorized to sell or let to hire in the pleasure ground such commodity or article.

18. No person shall by operating or causing or suffering to be operated any wireless set, gramophone, amplifier, tape recorder or similar instrument or any musical instrument make, cause or suffer 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 pleasure ground.

Provided that this byelaw shall not apply to any person holding or taking part in a band show or any other entertainment held in the pleasure ground in pursuance of an agreement with the Council.

19. (i) No person shall light a fire in the pleasure ground or place or throw or let fall alighted match or any other thing so as to be likely to cause a fire,

(ii) This byelaw shall not prevent the lighting or use of a properly constructed camping stove, cooker or barbecue in any area set aside for the purpose, in such a manner as not to cause danger of or damage by fire.

20. A person who has attained the age of 14 years shall not use any apparatus in the pleasure ground which, by a notice affixed on or near thereto. Has been set apart for the exclusive use of persons under the age of 14 years.

21. No person shall in the pleasure ground use any device designed or adapted for detecting or locating any metal or mineral on or in the ground.

22. A person shall not in the pleasure ground fly or cause or permit to be flown any kites in such manner as to cause a nuisance or annoyance.

23. No person shall in the pleasure 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 pleasure ground, or behave so as to give reasonable grounds for annoyance to other persons in the pleasure ground.

24. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

25. Any person offending against any of these byelaws may be removed from the pleasure ground by any officer of the Council, or any constable.

The following extract from the Borough of Surrey Heath Byelaws made under Section 164 of the Public Health Act, 1875, and Sections 12 and 15 of the open Spaces Act, 1906, by the Surrey Heath borough council of the ninth day of January One thousand nine hundred and eighty with respect to the pleasure grounds specified in the Schedule hereto, is still in effect

10. (i) A person shall not cause or suffer any dog belonging to him or in his charge to enter or remain in the pleasure ground, unless such dog be and continue to be under proper control, and be effectually restrained from causing annoyance to any person. And from worrying or disturbing any animal or waterfowl, and from entering any ornamental water, pool. Or any other water;

(ii) A person shall not cause or suffer any dog belonging to him or in his charge to enter or remain in any part of the enclosed area of Heatherside Recreation Ground which by a notice affixed or set up in a conspicuous position near to is reserved by the Council as a children's play area.

THE SCHEDULE

PART I Pleasure grounds for which byelaws are made under Section 164 Public Health Act, 1875

Alphington Pond	London Road Recreation Ground
Balmoral Drive Open Space	Mytchett Recreation Ground
Cheylesmore Park	Southcote Park
Crabtree Road Recreation Ground	The Green, Frimley Green
Freemantle Road Open Space	The Grove
Frimley Green Recreation Ground	Tomlins Pond
Frimley Lodge Park	Watchetts Recreation Ground
Henley Drive/Heenan Close Amenity Areas	

PART II Pleasure grounds for which byelaws are made under Sections 12 and 15, Open Spaces Act, 1906 (continued)

Avenue Sacy Play Area	Lynwood Drive Open Space
Bain Avenue Play Area	Nightingale Drive Open Space
Caesars Camp Road Open Space	Land at Diamond Ridge, known as Old Dean Common
Chobham Road Recreation Ground	Old Dean Recreation Ground
Frimley High Street Recreation Ground	Orchard Way Play Area
Hawthorn Road Play Area	Queen Mary Avenue Play Area
Heatherside Recreation Ground	Saddleback Road Open Space
Longmeadow Play Area	Turf Hill Park
Loman Road Play Area	Woodend Road Recreation Ground and Play Area

He is taking part therein;

(v) except where the exclusive use of the space has been granted by the Council for the playing of a match in which he is taking part, not use the space for a longer time

than two hours continuously, if any other player or players make known to him a wish to use the space.

Part III Pleasure grounds for which byelaws are made under Section 15 of the Open Spaces Act 1906

Watchetts Lakes
Yaverland Drive Open Spaces