



Shepton Mallet Town Council

Collett Park Users Policy

Reviewed – 15th May 2018

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Shepton Mallet Town Council Collett Park Users Policy

1. Introduction

1.1 Shepton Mallet Town Council (the Council) is committed to providing effective, high quality service to all its customers and users of Collett Park. These guidelines together with the Guidance & Rules Policy have been written for people who want to hold small events in Collett Park. Typical examples of small events are:

- A small sponsored run or walk or similar
- A guided walk
- A community sports competition
- A concert on the Bandstand
- One-off small performing arts events such as opera, a recital or theatre production with an expected audience of a few hundred people.

For information about holding an event in Collett Park please see our website

www.sheptonmallettowncouncil.gov.uk

This document contains details of:

- How to apply to hold a small event
- The assessment process of your application
- The Collett Guidance & Rules

Licensing Act 2003

Collett Park is licensed for regulated entertainment under the Licensing Act 2003. You will not normally need to apply for a licence separately.

Mendip District Council licences impose conditions upon Collett Park which must be adhered to. When you apply for an event we will let you have a copy of conditions that apply to Collett Park. These conditions will be replicated in the terms of any contracts issued by Shepton Mallet Town Council to you

2. Fees

- 2.1 You will liable to pay for any services that we provide or for any costs that we incur. You might also be asked to pay a reinstatement bond which is returned to you after successful completion of your event.

3. Applying to hold a small event or run an activity in Collett Park

- 3.1 Your enquiry should be directed to the Town Council office in writing as to what sort of activity you require permission for. In return you will be sent a copy of the Guidance & Rules which includes an application form.

4. Assessing your application

- 4.1 The assessment criteria of your event/activity application include:
- Is the event suitable for Collett Park
 - Would the event clash with any other
 - Will the organiser be able to meet the conditions of Mendip District Council license?
 - What time of year is it
 - How much lead time is there
 - Track record of the organiser

5. Park Regulations

- 5.1 If you wish to any of the following as part of your event you must include a request to do so in your letter of application. (This will not guarantee permission being granted as many requests need to be discussed and considered initially by the Collett Park Management Committee).
- Bring vehicles into the park
 - Bring equipment of infrastructure into the park: e.g. gazebos mini marquees etc
 - Play music in the Park
 - Display banner posters or similar advertisements of your event or sponsor or charity
 - Run any stalls offering items for sale or literature to take away

- 5.2 All event organisers will be expected to abide by the rules laid down in the document, Guidance and Rules
- 5.3 Be aware of the Collett Park bye-Laws, a copy of which are to be found in Appendix A of this document

6. Things that are not allowed to happen in the park

- 6.1 Event organisers will not be permitted to do any of the following things in Collett Park
- Fix items to trees, railings, fences, or other structures in Collett Park
 - Drive stakes into the ground
 - Cook or Barbeque any food in the park or light any fires e.g. flaming torches
 - Provide alcohol as part of the event
 - Leave items unattended in the park
 - Let the event interfere with or obstruct any other park users
 - Hand out literature other than from a fixed location (e.g. a stall)
 - Solicit donations from park visitors e.g. bucket collections
 - Balloon releases
 - Pyrotechnics
 - Disturb any wildlife
 - The operation of mini motorcycles
 - Have horses on site
 - camping

7. Acceptance of Proposal

- 7.1 When Shepton Mallet Town Council is satisfied that your event can go ahead we will write to you giving you permission. The permission notice and any licences issued must be carried by you on the day of the event as you might be asked by a member of staff or the Police to show them.

APPENDIX A

MENDIP DISTRICT COUNCIL Criminal Justice and Police Act 2001 Alcohol Consumption in Public Places Designation Order for Shepton Mallet

The Criminal Justice and Police Act 2001 allows Mendip District Council to designate an area for the purposes of the Act if the Council is satisfied that there is nuisance being caused to the public or incidents of disorder and these are associated with drinking in that area

The Council resolved on the 24 July 2006 to make an order under the Act designating the areas referred to below. The Order will take effect on **22 SEPTEMBER 2006**

The effect of the Order is that as from the 22 September 2006 it is an **offence** if a person fails to comply with a request from a police officer to stop drinking any intoxicating liquor and/or fails to hand over to that officer any open containers of such liquor in the designated area. **It is an arrestable offence which carries with it a maximum fine of level 2 on the standard scale (currently £500) if convicted**

The designated areas are as follows:

- **High Street**
- **Market Place**
- **Town Street**
- **Collett Park**
- **Footpath along the Old Railway Line**
- **West Shepton Playing Fields, including Shepton Mallet Football Club**

A copy of a plan showing the area can be inspected at Mendip District Council Offices, Cannards Grave Road, Shepton Mallet during normal office hours.

BYELAWS made by the **TOWN COUNCIL OF SHEPTON MALLET** relating to the control of Dogs and made under Section 164 of the Public Health Act, 1875 and Sections 12 and 15 of the Open Spaces Act, 1906 or Section 15 of the Open Spaces Act with regard to public walks and pleasure grounds, or open spaces with respect to the Pleasure Ground known as **COLLETT PARK, SHEPTON MALLET** in the County of Somerset

EXTENT

1. (i) Byelaw 3 applies to the public walks and pleasure grounds, or parts thereof, described in Schedule 1, hereafter referred to as the "Dog Prohibited Areas".
- (ii) Byelaws 4 and 5 apply to the public walks and pleasure grounds described in Schedule 2, hereafter referred to as the "Canine Faeces Removal Areas".
- (iii) Byelaw 6 applies to the public walks and pleasure grounds, or parts thereof, described in Schedule 3, hereafter referred to as the "Dogs on Leads Areas".
- (iv) Notice of the effect of those byelaws shall be given by signs placed in conspicuous positions at the entrances to each of the dog prohibited areas, and at the entrances or on the approaches to the canine faeces removal areas and dogs on leads areas.

INTERPRETATION

2. (i) In these byelaws "The Council" means the Town Council of Shepton Mallet.
- (ii) For the purpose of these byelaws the keeper of the dog shall be deemed in charge thereof, unless the dog had been placed or taken into the charge of some other person at the time when an offence under these byelaws had been committed.
- (iii) In paragraph (ii) above, "The Keeper" shall include the owner of the dog or any person who habitually has it in his/her possession.

DOGS PROHIBITED FROM THE GROUNDS

3. (i) No person (other than a registered blind person) in charge of a dog shall, without reasonable excuse, permit the dog to enter or remain in any of the dog-prohibited areas.
- (ii) An officer of the Council, or any constable may require a person in charge of a dog which has entered any of the dog prohibited areas to remove the dog there from.

REMOVAL OF CANINE FAECES

4. Every person (other than a registered blind person) in charge of a dog which is in any of the canine faeces removal areas who, without reasonable excuse, fails to remove forthwith from any such area any faeces deposited by the dog shall be guilty of an offence.
5. For the purpose of compliance with byelaw 4 the following provisions shall apply;
 - (a) It shall be a sufficient removal from the canine faeces removal areas if the faeces are deposited in a receptacle in any such area which has been provided for that purpose by the Council;
 - (b) Without prejudice to the generality of the foregoing, it shall not be a reasonable excuse that a person in charge of a dog did not have with him/her any means of removal of the faeces.

DOGS ON LEADS

6. No person in charge of a dog shall without reasonable excuse permit a dog to be in the dogs on lead areas unless the dog is held on a lead and is restrained from behaviour giving reasonable grounds for annoyance.

REMOVAL OF OFFENDERS

7. Any person offending against any of these byelaws in a pleasure ground may be removed from the pleasure ground in which the offence is being committed by a constable or by an officer of the Council.

PENALTY

8. 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.

SCHEDULE 1

DOG-PROHIBITED AREAS

The area known as Collett Park near the Park Road entrance and which is enclosed by two separate 750mm high mesh fences where children's play equipment is sited.

SCHEDULE 2

CANINE FAECES REMOVAL AREAS

The whole of the area known as Collett Park, Shepton Mallet, excepting that area defined in Schedule 1 of these byelaws.

SCHEDULE 3

DOGS ON LEADS AREAS

The whole of the area known as Collett Park, Shepton Mallet, excepting that area defined in Schedule 1 of these byelaws.

BYELAWS made by the **TOWN COUNCIL OF SHEPTON MALLET** under sections 12 and 15 of the Open Spaces Act, 1906 with respect to the Pleasure Ground known as **COLLETT PARK, SHEPTON MALLET** In the County of Somerset

INTERPRETATION

1. In these byelaws "the Council" means the Town Council of Shepton Mallet and "the pleasure ground" means the pleasure ground and playing field known as "Collett Park" situated fronting or adjoining Charlton Road, Collett Avenue and Park Road, Shepton Mallet.
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.

WALLS, FENCES, TREES, ETC.

3. No person shall in the pleasure ground without reasonable excuse:
 - (1) Climb any wall or fence in or enclosing the pleasure ground, or any tree, or any barrier, railing, post, or other erection:
 - (2) Remove or displace any barrier, railing, post or seat, or any part of any erection or ornament, or any playground equipment, or any implement provided for use in the laying out or maintenance of the pleasure ground.

CATTLE, SHEEP, GOATS, ETC.

4. No person shall, 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.

VEHICLES

5. (i) No person shall, without reasonable excuse, ride or drive a cycle, motor cycle, motor vehicle or any other mechanically propelled vehicle in the pleasure ground, or bring or cause to be brought into the pleasure ground a motor cycle, motor vehicle, trailer or any other mechanically propelled vehicle (other than a cycle), except in any part of the pleasure ground where there is a right of way for that class of vehicle.
 - (ii) If the Council has set apart a space in the pleasure 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 the conspicuous positions, between it and the entrance to the pleasure ground.

(iii) This byelaw shall not extend to invalid carriages.

(iv) In this byelaw:

"cycle" means a bicycle, a tricycle, or a cycle having four or more wheels, not being in any case a motorcycle or a motor vehicle;

"invalid carriage" means a vehicle, whether mechanically propelled or not, the un-laden weight of which does not exceed 150 kilograms, the width of which does not exceed 0.85 meters 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, 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, not being an invalid carriage, intended or adapted for use on roads;

"trailer" means a vehicle drawn by a motor vehicle, and includes a caravan.

6. No person who brings a vehicle into the pleasure ground shall 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 notice board affixed or set up in some conspicuous position in the pleasure ground prohibit its being wheeled or stationed.

KEEPING OFF THE GRASS

7. No person shall 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 flowerbed, or for the growth of any tree, shrub or plant.

ORNAMENTAL LAKES, PONDS, STREAMS AND OTHER WATER

8. No person shall 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.

GAMES

9. Where the Council has set apart any such part of the pleasure ground as may be fixed by the Council, and described in a notice board 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 – no person shall 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.

10. 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 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.

11. No person shall 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.

STRUCTURES

12. No person shall in the pleasure ground without the consent of the Council erect any post, rail, fence, pole, tent, booth, stand, building or other structure.

SELLING

13. No person shall in the pleasure ground 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 authorised to sell or let to hire in the pleasure ground such commodity or article.

FIRES

14. No person shall light a fire in the pleasure ground, or place or throw or let fall a lighted match or any other thing so as to be likely to cause a fire.

Provided that this byelaw shall not apply to any event held in pursuance of an agreement with the Council.

NOISE

15. (i) In the pleasure ground: -

no person shall, after being requested to desist by any constable, or by any person annoyed or disturbed, or by any person acting on his behalf:

(a) by shouting or singing; or

(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;

(i) 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 pleasure ground;

(ii) Provided that this byelaw shall not apply to properly conducted religious services;

(iii) Provided that this byelaw shall not apply to any person holding or taking part in any entertainment held in pursuance of a lawful agreement with the Council.

OBSTRUCTION

16. 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.

PENALTY FOR OFFENCES

- 17. 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.

REMOVAL OF OFFENDERS

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

EVOCATION OF BYELAWS

- 19. The byelaws made by the Urban District Council of Shepton Mallet on the Twelfth day of May, 1931, and confirmed by the Ministry of Health on the fourth day of August, 1931, relating to the pleasure ground are hereby revoked.