

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

ITERPRETATION

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.
 - (iii) 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 unladen 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 OF 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;

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.

The foregoing byelaws were made and adopted by the Town Council of Shepton Mallet at a meeting held on the 2nd June 1992.

Given under our hands and seals this 2nd day of June 1992.

K.J. Hurrell - Chairman

D. Gilham (Mrs) - Vice-Chairman

The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into operation on the 17th day of November 1992.

Signed by authority of the Secretary of State

(Signed) M.E. Head

An Assistant Under – Secretary of State

**22nd October 1992
Home Office
London, S.W.1**