

# LOWER HALSTOW PARISH COUNCIL

## OPEN SPACES POLICY

Rev No	Date	By	Notes
1 <sup>st</sup> Draft	27/11/2018	S. Gates	Original
2 <sup>nd</sup> Draft	19/12/2018	S. Gates	Clause 1: Added Britannia Green
01	08/01/2019	S. Gates	Adopted at Parish Council meeting

Policy made by Lower Halstow Parish Council with respect to Open Spaces

### Interpretation

1. In this Policy:

“the Council” means Lower Halstow Parish Council;

“the land” means the following open spaces:

The Village Green, School Lane Playing Field, The Gibbs Amenity Area, The Old Brickfields Amenity Area, Britannia Green.

### Climbing

2. No person shall, without reasonable excuse, climb any wall or fence on or enclosing the land, or any tree, or any barrier, railing, post or other structure.

### Removal of Structures

3. No person shall, without reasonable excuse, remove from or displace on the land any barrier, railing, post or seat, or any part of any structure or ornament, or any implement provided for use in laying out or maintenance of the land.

### Erection of Structures

4. No person shall on the land, without the consent of the Council, erect any post, rail, fence, pole, tent, booth, stand, building or other structure.

### Walking on the grass

5. No person shall on the land walk, run, stand, sit or lie upon any grass, turf or other place where adequate notice to keep off such grass, turf or other place is exhibited.

### Protection of Wildlife

6. No person on the land shall intentionally kill, injure, take or disturb any animal or engage in the hunting, shooting, or the setting of traps or nets, or the laying of snares.

### Removal of Substances

7. No person shall, without the consent of the Council, remove from or displace on the land any soil or turf, or the whole or any part of any plant or tree, or any other materials.

#### Trading

8. No person shall on the land, without the consent of the Council, sell, or offer or expose for sale, or let to hire, or offer or expose for letting to hire any commodity or article

#### Bait Digging

9. No person shall dig bait from the Councils land.

#### Fires

10. (1) No person shall on the land intentionally light a fire, or place, throw or let fall a lighted match or any other things so as to be likely to cause a fire.

(2) This regulation shall not prevent the lighting of a fire at any event for which the Council has given permission that fires may be lit.

#### Vehicles

11. (1) No person shall, without reasonable excuse, ride or drive a motor cycle, motor vehicle, a horse drawn vehicle or any other mechanically propelled vehicle on the land, or bring or cause to be brought on to the land a motor cycle, motor vehicle, trailer, a horse drawn vehicle or any other mechanically propelled vehicle (other than a cycle), except on any part of the land where there is a right of way for that class of vehicle.

(3) This regulation shall not extend to invalid carriages.

(4) In this regulation:

“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 metres 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 person;

“motor vehicle” means a mechanically propelled vehicle, not being an invalid carriage.

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

#### Gates

12. Where the Council indicates by a notice conspicuously exhibited on or alongside any gate on the land that leaving that gate open is prohibited, no person having opened that gate, or caused it to be opened, shall leave it open.

#### Camping

13. No person shall on the land, without the consent of the Council erect a tent or use any vehicle, including a caravan, or any other structure for the purpose of camping.

#### Games

14. No person shall on the land play or practise any game, sport or activity to the danger of other users of the land.

#### Horse Riding

15. (1) No person shall on the land intentionally or negligently ride a horse to the danger of any other person using the land.

(2) No person shall ride a horse on any of the land except in any area where a notice exhibited by the Council permits riding, or where a statutory bridleway exists.

#### Grazing

16. No person shall, without the consent of the Council, turn out or permit any animal to graze on the land.

#### Watercourses

17. No person shall knowingly cause or permit the flow of any drain or watercourse on the land to be obstructed or diverted, or open, shut or otherwise work or operate any sluice or similar apparatus on the land.

#### Pollution of Waterways

18. No person shall intentionally carelessly or negligently foul or pollute any waterways comprised in the land.

#### Noise

19. (1) No person on the land shall, after being requested to desist by an officer of the Council, or by any person annoyed or disturbed, or by a person acting on his behalf:

- (a) be shouting or singing;
- (b) be playing a musical instrument; or
- (c) by operating or permitting to be operated any radio, gramophone, amplifier, tape recorder or similar instrument;
- (d) 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 on the land.

(2) This regulation shall not apply to any person holding or taking parting any entertainment held with the consent of the Council.

#### Obstruction

20. No person shall on the land:

- (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.
- (c) Intentionally obstruct any other person in the proper use of the land or behave so as to give reasonable grounds for annoyance to other persons on the land.

#### Savings

21. (1) An act necessary to the proper execution of his duty on the land 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 Policy.

(2) Nothing in or done under any of the provisions of these Policy shall in any respect prejudice or injuriously affect any public right of way through the land, or the rights of any person acting legally by virtue of some estate, right or interest in, over or affecting the land or any part thereof.

#### Adoption

22. Policy Adopted by Lower Halstow Parish Council on 8<sup>th</sup> January 2019