

BYELAWS  
FOR THE REGULATION OF  
PLEASURE GROUNDS AND OPEN  
SPACES  
IN THE BOROUGH OF SOLIHULL

JOHN SCAMPION  
Town Clerk and Chief Executive Officer



# **SOLIHULL METROPOLITAN BOROUGH COUNCIL**

## **BYELAWS**

### **FOR THE REGULATION OF PLEASURE GROUNDS AND OPEN SPACES IN THE BOROUGH OF SOLIHULL**

Byelaws made by the Council of The Metropolitan Borough of Solihull (under Section 164 of the Public Health Act 1875 and Sections 12 and 15 of the Open Spaces Act 1906) with respect to pleasure grounds listed in the attached Schedule.

#### **INTERPRETATION**

1. In these byelaws: “the Council” means the Council of the Metropolitan Borough of Solihull; “the ground” means the grounds listed in the attached schedule.

#### **SAVINGS**

2. In these byelaws: as 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 deemed an offence against these byelaws.

#### **CLIMBING AND REMOVAL OF STRUCTURES**

3. No person shall in the ground without reasonable excuse

- i) climb any wall or fence in or enclosing the ground, or any tree or any barrier, railing, post or other structure; or
- ii) remove from or displace any barrier, railing, post or seat, or any part of any structure or ornament, or any implement provided for use in the laying out or maintenance of the 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 (other than a cycle), except in any part of the ground where there is a right of way for that class of vehicle.
- ii) If the Council has set apart a space in the ground for use by vehicles of any class, this byelaw shall not prevent the riding or driving of those vehicles in the space set apart, or on a route, indicated by signs placed in conspicuous position, between it and the entrance to the ground.
- iii) This byelaw shall not extend to invalid carriages.
- iv) In this bylaw:
  - “cycle” means a bicycle, tricycle, or a cycle having four or more wheels, not being in any case a motor cycle or 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 metres and which has been constructed or adapted for the carriage of one person, being a person suffering from some physical defect or disability and is used solely by such as 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.

## **PROTECTION OF FLOWER BEDS, TREES, GRASS, ETC**

6. No person who brings or causes to be brought a vehicle into the ground shall wheel or park it over or upon
  - i) Any flower bed, shrub, or plant, or any ground in the course of preparation as a flower bed, or for the growth of any tree or plant or
  - ii) Any part of the ground where the Council by a notice board affixed or set up in some conspicuous position in the ground prohibit its being wheeled or parked.

7. No person shall in the ground enter upon
  - i) any part of the ground set aside for the renovation of grass or turf, where adequate notice to keep off such grass is exhibited;
  - or
  - 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.

## **CHILDREN'S PLAY APPARATUS**

8. No person who has attained the age of 16 years shall use any apparatus which, by a notice affixed on or near thereto has been set apart for the exclusive use of persons under the age of 16 years.

## **BOATS**

8. i) No person shall in the ground place on an ornamental lake or pond any boat, other than a model yacht or toy boat in pursuance of an agreement with Council.
- ii) No person shall operate or sail on any waterway comprised in the ground any boat which is not for the time being registered with the Council. Such registration shall be effected by the Council upon written application by the owner of a boat by:
  - a. entering in a register kept by a duly authorised officer of the Council the name and address of the owner, a general description of the boat and the serial number of the registration;
  - and
  - b. issuing the owner a certificate of registration incorporating these particulars

## **SOIL AND PLANTS**

10. No person shall in the ground remove or displace any soil or plant.

## **ORNAMENTAL LAKE, POND, STREAM OR OTHER WATER**

11. No person shall in the ground: bathe, wade, or wash in any ornamental lake, pond or stream or other water; provided that the foregoing bylaws shall not be deemed to prohibit a child under 14 years paddling in a pool.

## **FISHING**

12. No person shall without lawful excuse or authority in the 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 laying of snares. This byelaw shall not prohibit any fishing which may be authorised by the Council.

## **GAMES**

13. Where the Council has, by a notice placed in a conspicuous position in the ground, set apart an area in the ground for the playing of such games as may be specified in the notice, no person shall:

- a) play in such as area any game other than the game for which it has been set apart
- b) use any such area so as to give reasonable grounds for annoyance to any person already using that area for any purpose for which it has been set apart; or
- c) play any game so specified in any part of the ground in such a manner as to exclude any person not playing the game from using that part.

14. No person shall, in any area of the ground which may have been set apart by the Council for any game, play any game when the state of the ground or other cause makes it unfit for use and a notice is placed in a conspicuous position prohibiting play in that area of the ground.

15. (1) No person shall in the ground play a game:

- a) so as to give reasonable grounds for annoyance to any other person in the ground; or
- b) which is likely to cause damage to any tree, shrub or plant in the ground.

(2) This byelaw shall not extend to any area set apart by the Council for the playing of any game.

## **POST, RAIL, FENCE ETC**

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

## **SELLING**

17. No person shall in the ground, 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.

## **GOLF**

18. No person shall in the ground, drive, pitch, or chip a hard golf ball, except in land set aside by the Council for use as a golf link, golf driving range or putting course.

## **ARCHERY DISCUS ETC**

19. No person shall except in connection with an event organised by or held in pursuance of an agreement with the Council engage in the sports or pursuits of archery, or discus or shot, hammer or javelin throwing in the ground.

## **MISSILES**

20. No person shall to the danger or annoyance of any other person in the ground throw or discharge any missile.

## **OBSTRUCTION**

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

## **PENALTY FOR OFFENDERS**

22. 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**

23. Any person offending against these bylaws may be removed from the ground by an officer of the Council, or any Constable.

## **REVOCAION OF BYELAWS**

24. The byelaws relating to pleasure grounds and open spaces which were made by the Solihull Borough Council on the Thirteenth day of April One thousand nine hundred and sixty were confirmed by the Secretary of State on the Eighteenth day of June One thousand nine hundred and sixty and the subsequent addenda thereto hereby revoked.

METROPOLITAN BOROUGH OF SOLIHULL was hereunto affixed this 5<sup>th</sup> day of February 1993 in the presence of:-

**MICHAEL BLAIMIRE-BROWN**

Assistant Town Clerk (Head of Legal and Member Services)

## **SCHEDULE**

The grounds referred to in byelaw 1 are as follows:-

### **PART I**

Under Section 164 of the Public Health Act 1875

Alcott Green/Wood  
Apsley Grove  
Bacons End Green  
Badgers Open Spaces  
Barn Lane Recreation Ground  
Barn Lane Amenity Land  
Beechcroft Open Space  
Belbrook Fields  
Bentley Heath Recreation Ground  
Bills Wood  
Bluebell Drive Recreation Ground  
Bosworth Drive Open Space  
Brookside Recreation Ground  
Browns Lane  
Brueton and Malvern Park  
Burtons Green  
Chapelhouse Recreation Ground  
Cheswick Green Estate  
Colebrook Recreation Ground  
Cole Bank Park  
Cold Lands Wood  
Cole Green  
Cole Park  
Cranmore Park  
Damson Parkway (Huxby Drive)  
Damson Parkway Buffer Strip (Barnfield Drive)  
Damsonwood Open Space  
Dorrige Park  
Dorrige Road Open Space  
Eastbury Drive  
Edstone Close Open Space  
Elmdon Heath Recreation Ground  
Elmdon Heath (Waldeve Grove/Oakslade Drive)  
Elmdon Park  
Frankholmes Drive (Hay Lane)



Glascote Close Play Area  
Gospel Lane  
Hanbury Road Playground  
Hanfield Drive  
Hay Lane (Hillfield Park)  
Headley Rise  
Heath Park (Yorkminster Drive)  
Hermitage Road Playground  
Hillwood Avenue and Fellgate Close  
Hobs Moat Open Space  
Holly Lane Fields (Cambridge Drive)  
Horace Brueton Gardens  
Jobs Close Park  
Knightsbridge Road Open Space  
Kingshurst Park  
Lakeside Drive  
Lanchester Park  
Langley Hall Park  
Lindhurst Drive  
Lyndon Road  
Madams Hill Open Space  
Marsh Lane Open Space  
Meriden Park  
Meriden Village Pool  
Millisons Wood  
Olton Jubilee Recreation Ground  
Palmers Rough Recreation Ground  
Parkfield Drive  
Parkfield Estate  
Pathlow Crescent Open Space  
Pow Grove  
Purnells Brook Open Space  
Purnells Brook Streamside Walk  
Purnells Way  
Ridge (The) Lanchester Way  
Queens Gardens  
Queen Eleanors Drive  
Sharmans Cross Road Open Space  
Shortland Close Open Space  
Smiths Wood Open Space  
Solihull Station Open Space  
Springbrook Close  
St John Close Open Space

Stanbrook Road  
Starbold Crescent Open Space  
Stoneton Crescent  
Stratford Road Buffer Strip  
Streetsbrook Road Open Space  
Streamside Way (Valley Road)  
Tidmarsh Close  
Tudor Grange Park  
Tyberry Close  
Whitehart Green Open Space  
Whitford Drive Open Space  
Widney Lane (new) (Monkspath Hall Road/Sandhills Crescent)  
Widney Lane (Woodstone Grove)  
Widney Lane (New)/Hunningham Grove  
Woodland Green (Windward Way Open Space)

## **PART II**

Under Sections 12 and 15 of the Open Spaces Act 1906

Babbs Mill Jubilee Park  
Woodlands Lane Open Space

The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into operation on the 2<sup>nd</sup> day of August 1993.

Signed by the authority of the Secretary of state.

M.E.HEAD  
An assistant Under-Secretary of State

Home Office  
London, SW1