

Capel Parish Council
IMPLEMENTATION OF NEW BYELAWS

These Byelaws are made by the Capel Parish Council under section 164 of the Public Health Act 1875 with Respect to the Recreation Ground and its Car Park, Falmouth Place, Five Oak Green, Kent

PART 1
GENERAL

General Interpretation

1. In these byelaws:

“the Council” means the Council of Capel Parish;

“the ground” means the Recreation Ground, Falmouth Place, Five Oak Green, Kent;

“invalid carriage” means a vehicle, whether mechanically propelled or not,

- (a) the unladen weight of which does not exceed 150 kilograms,
- (b) the width of which does not exceed 0.85 metres, and
- (c) which has been constructed or adapted for use for the carriage of a person suffering from a disability, and used solely by such a person.

Application

2. These byelaws apply to the Recreation Ground at Falmouth Place, Five Oak Green, Kent.

Opening times

3. (1) No person shall enter or remain in the ground except during opening hours.
- (2) “Opening hours” means the days and times during which the ground is open to the public and which are indicated by a notice placed in a conspicuous position at the entrance to the ground.

PART 2
VEHICLES

Interpretation of Part 2

4. In this Part:

“motor cycle” means a mechanically-propelled vehicle, not being an invalid carriage, with less than four wheels and the weight of which does not exceed 410 kilograms;

“motor vehicle” means any mechanically-propelled vehicle other than a motor cycle or an invalid carriage;

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

Overnight parking

5. No person shall without the consent of the Council leave or cause or permit to be left any motor vehicle in the ground between the hours of 10 p.m. and 6 a.m.

PART 3

OTHER REGULATED ACTIVITIES

Excessive noise

6. (1) No person shall, after being requested to desist by any other person in the ground, make 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 ground by:
 - (a) shouting or singing;
 - (b) playing on a musical instrument; or
 - (c) by operating or permitting to be operated any radio, amplifier, tape recorder or similar device.
- (2) Byelaw 6(1) does not apply to any person holding or taking part in any entertainment held with the consent of the Council.

PART 4

MISCELLANEOUS

Obstruction

7. No person shall obstruct:
 - (a) any officer of the Council in the proper execution of his duties;
 - (b) any person carrying out an act which is necessary to the proper execution of any contract with the Council; or
 - (c) any other person in the proper use of the ground.

Savings

8. (1) It shall not be an offence under these byelaws for an officer of the Council or any person acting in accordance with a contract with the Council to do anything necessary to the proper execution of his duty.

- (2) Nothing in or done under these byelaws shall in any respect prejudice or injuriously affect any public right of way through the ground, or the rights of any person acting lawfully by virtue of some estate, right or interest in, over or affecting the ground or any part of the ground.

Removal of offenders

9. Any person offending against any of these byelaws may be removed from the ground by an officer of the Council or a constable.

Penalty

10. 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.

Given under our hands and seals this 28th day of November 2006

Signed:

Signed:

Members of the Capel Parish Council